IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

CHURCH OF SCIENTOLOGY, INTERNATIONAL, **Plaintiff/Respondent,** **vs.** **GERALD ARMSTRONG,** **Defendant/Appellant.**	**NO. A075027**

CLERK'S TRANSCRIPT ON APPEAL

FROM A JUDGMENT MADE AND ENTERED

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

MARIN COUNTY COURTS

VOLUME 17

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

MARIN COUNTY COURTS

DEPARTMENT 1

CHURCH OF SCIENTOLOGY, INTERNATIONAL,)
Plaintiff,)
)
vs.)
)
GERALD ARMSTRONG,) No. 157680
Defendant.)
)

GARY W. THOMAS	JUDGE
JOHN P. MONTGOMERY	COURT EXECUTIVE OFFICER
ELAINE PASSARIS	REPORTER

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EVIDENCE IN SUPPORT OF PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION OF PLAINTIFF'S COMPLAINT (EXHIBIT Z, ET SEQ.) VOLUME 1, CON'T. 4525
2/27/95

EVIDENCE IN SUPPORT OF PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION OF PLAINTIFF'S COMPLAINT (INCLUDING EXHIBIT JJJ) VOLUME 2 4636
2/27/95

4525

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PLAINTIFF'S EXHIBIT 8
Armstrong
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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

RELIGIOUS TECHNOLOGY CENTER, a California corporation, et al., Plaintiffs, vs. ROBIN SCOTT, an individual, et al. Defendants.	CV 85-711 JMI (Bx) CV 85-7197 JMI (Bx)
RELIGIOUS TECHNOLOGY CENTER, a California corporation, et al., Plaintiffs, vs. LARRY WOLLERSHEIM, an individual, et al., Defendants.	**SUPPORTING DECLARATION OF GERRY ARMSTRONG TO DEFENDANTS' AND COUNTER-CLAIMANTS' OPPOSITION TO PLAINTIFFS' AND COUNTER-DEFENDANTS' MOTION FOR PROTECTIVE ORDER RE FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS OR THINGS AND FOR SANCTIONS**
AND RELATED COUNTER-CLAIMS	**DATE: June 10, 1992** **TIME: 5:00 P.M.** **CTRM: Hon. James G. Kolts Special Master, Pasadena, Hilton**

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DECLARATION OF GERRY ARMSTRONG

I, Gerry Armstrong, declare:

1. I am a party to that litigation known as Church of Scientology of California v. Gerald Armstrong, L.A.S.C. Case No. 420153 (hereinafter the "Armstrong" litigation).

2. I am familiar with the pleadings and records in the Armstrong litigation and submit this Declaration based upon my own personal knowledge of the matters contained herein, and if called as a witness, could and would competently testify thereto.

3. Exhibit "A" hereto are true and correct copies of Reporter's Transcripts of Proceedings held in the Armstrong litigation before the Honorable Paul G. Breckenridge, Jr.

4. Attached hereto as Exhibit "C" is a true and correct copy of a Supplemental Affidavit filed by myself in that litigation known as Tonja Burden v. Church of Scientology California, United States District Court, Middle District of Florida, Case No. 80-501-CIV-T-K.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration is made and executed this 27th day of May, 1992 at Los Angeles, California.

GERRY ARMSTRONG

EXHIBIT A

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 57 HON. PAUL G. BRECKENRIDGE, JR., JUDG

CHURCH OF SCIENTOLOGY OF CALIFORNIA,
Plaintiff,
vs.
GERALD ARMSTRONG,
Defendant.

MARY SUE HUBBARD,
Intervenor.

No. C 420153

REPORTERS' TRANSCRIPT OF PROCEEDINGS

Friday, May 11, 1984

APPEARANCES:

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Q A 35-foot sailboat?

A Yes.

Q Okay. Now did that situation with Mr. Parsons end up in litigation?

A Yes.

Q And are those litigation records under seal?

A Yes.

Q Now were there other records that you found under seal that indicated Mr. Hubbard's physical condition u until 1949?

A There is a great number of records on that subject.

Q Okay. Now after you found that these contradi existed, what did you do?

A Well, right at this time or shortly thereafter Laurel was signed to a mission, a mission which is called MCCS, Mission Corporate Category Sort-Out, and she was going to be having extensive dealings with Mr. Hubbard's attorney, Alan Wertheimer, and his tax attorney at that time Jim Murphy, both of whom had offices in Beverly Hills. So we were at that time in Gilman Hot Springs and it was decide that it would make more sense if we moved into Los Angeles.

Laurel was to move. I was at some point asked to be her second on the mission. There was a mission in charge, and if there is more mission personnel, they are designated second, third, fourth, fifth, sixth et cetera, and I was to be the mission second.

Q And this was what they called the MCCS mission

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A Right.

In addition, all the top personnel of the CMO at that point also moved into Los Angeles, and they moved all the international management personnel from Gilman Hot Springs into Los Angeles, so it made more sense because we would be dealing with those personnel and dealing with attorneys to move into Los Angeles. So I moved at that point along with Laurel, and I moved in all the materials which were from archives, the archives which I was establishing at that point. I principally had only the materials from Del Sol, so I moved into Los Angeles.

Q And the purpose of the move was because of the MCCS Mission?

A Right.

Q Now, did the MCCS Mission become inter-related to the biography project over the next year and a half?

A Yes.

Q And did it become an integral part of the biography project?

A Well they were connected. I wouldn't say that MCCS was a part of the biography project. Maybe the biograph project was part of MCCS.

MCCS dealt with a number of subjects, one of which was the biography contract and the biography project.

Q Now, what was the purpose of the MCCS Mission?

MR. HARRIS: I will object, Your Honor; no foundation

THE COURT: Well if you know.

THE WITNESS: The purpose of the MCCS Mission was to allow or set up the legal procedures or steps or mechanisms by which Mr. Hubbard could retain control but not be responsi for the organization.

Q BY MR. FLYNN: How do you know that, Mr. Armstr

A Because I was involved in the initial briefing and in the correspondence from Mr. Hubbard which were given to Laurel and myself at the outset.

I also was involved in a number of meetings, discussions with Laurel Sullivan and similar discussions with Alan Wertheimer.

MR. HARRIS: Your Honor, at this point I will move to strike as a conclusion of the witness based upon hearsay, or if not, attorney-privileged communication which he is disclosing at this point.

The MCCS Mission, the subject of the corporate sort-out, involved many attorneys and involved church personn who were in liaison with such attorneys in respect to church matters and sorting out corporate church matters as well as the relationship of the founders of the church, and on that basis I'd move to exclude any further testimony in respect to that.

MR. LITT: Furthermore, Your Honor, the church can provide documents that show what the purpose of this is. This implication -- there is no foundation for his statement statement of what he recalls.

If the court wants, we can provide in camera to the court whatever documents are necessary to show that this whole activity was directed by attorneys for the purpose of determining the various inter-relationships between a number of different church organizations and the founder of Scientology.

This whole subject matter is wrong. The characterization that has been given, there is no foundation for. It is inaccurate and it cannot be used as an excuse to not begin to probe into this area.

We are very concerned about this question. We are prepared to provide the court whatever materials are needed. We are prepared to bring the attorneys involved.

We have some memoranda which can be submitted to the court by this afternoon on this area, and we just don't think it can be gotten into. This is just improper. Everything that was done on this mission, this was a mission to regain attorneys, gather facts for attorneys, provide thos facts to attorneys, get advice from those attorneys about how to solve a variety of problems concerning these inter-relationships.

This man was an employee of the church at the time when all of this occurred, and to the extent he has any such knowledge, he may not divulge it. He may not characteri it.

MR. FLYNN: If I could be heard, Your Honor.

THE COURT: All right.

MR. FLYNN: At this point, I have in my preparation of the examination restricted it to the briefing with Laurel Sullivan which was just described to the court laying a foundation for what is going to become readily apparent to be a very important issue in this-lawsuit for the following reasons:

The MCCS Mission worked together with the biography project because the biography project in the collection of the documentation, particularly documents relating to the Hubbard-Explorational Company Operation Transport Corporation, OTS, and a corporation called Religious Research Foundation, all of which documents or most of which documents Mr. Armstrong collected, basically revealed that from --

MR. LITT: Your Honor --

THE COURT: Let counsel finish.

MR. LITT: Your Honor, I am afraid -- if we can have an in-camera thing on this. This has happened before. He cannot refer to contents of any privileged conversations.

MR. FLYNN: I won't, Your Honor.

MR. LITT: Okay.

MR. FLYNN: I won't refer to any privileged communicat

The sealed documents in part, together with the other 98 percent of documents that are in the Armstrong Archives which are not here, basically reveal that throughout the period of time that Mr. Armstrong was working for Mr. Hubbard, as he has testified to, and he believed that Mr. Hubbard was only making $35,000 per year from the church, as he has testified to, and as he testified was represented to everyone -- everyone that he knew have related to the Church of Scientology.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. 57 HON. PAUL G. BRECKENRIDGE, JR., JUDGE

CHURCH OF SCIENTOLOGY OF CALIFORNIA,
Plaintiff,

vs.

GERALD ARMSTRONG,
Defendant.

MARY SUE HUBBARD,
Intervenor.

No. C 420 153

REPORTERS' DAILY TRANSCRIPT

Thursday, May 24, 1984

VOLUME 19A

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APPEARANCES:

(See Volume 15)

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Official Reporters

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I did the one to Los Angeles and then a repeat one to Los Angeles.

I did some local ones. I am not familiar with them all from the ship. I have done them. I have done probably 16 or 18 over the whole time I was in Scientology.

Q And who sent you on these missions?

A Well, there would be a briefing officer who briefed you and sometimes you would get a chance to talk to L. Ron Hubbard or sometimes you would not. Sometimes he would send notes down; sometimes he would do an evaluation and you would read that evaluation if you were the one selected to go.

Q And, for example, the LA mission was to rejuvenate -- bring up the gross income of a LA organization?

A That was basically it.

In that particular case that was one mission which was briefed, written by him, briefed by him and monitored by him for a number of months.

Q Now, without going through all of the posts and all of the missions that you held, at one point you became the senior Pers PRO of L. Ron Hubbard?

A Yes.

Q When was that?

A That was in November, 1973.

Q Just prior to that time had you held a post in the Hubbard communications office?

A Yes.

Q Now, what essentially were your duties as a senior personal public relations officer of L. Ron Hubbard?

A My first duty was to assist LRH in his activities in production. And that was stressed routinely as my first duty.

Q What does that mean?

A What that meant was if he went ashore or if he conducted any kind of personal or management business at all, I was to assist him with public relations. We called it flanking, flanking his production with PR.

That meant preparing people for his activities; sometimes assisting him with his production directly; anything from management to photography to film scripts to public surveys to writing promotions, writing dust jackets for books, editing his books or any such. There is a long list of different types of activities.

I also had as a duty to stay briefed on all of his activities so that I could flank those either directly or indirectly.

Q So as long as you were senior personal public relations officer you had personal knowledge of what L. Ron Hubbard was doing in connection with the management of Scientology organizations?

A Yes.

Q Was there a shore story in connection with whether he was managing Scientology organizations?

THE COURT: At what point in time, counsel?

MR. FLYNN: Let's take on board the ship first.

THE COURT: That is up to 1975 per the witness' previous testimony. Okay.

Q BY MR. FLYNN: Up to 1975, Miss Sullivan.

A Yes. There was a short story that he was consultant for OTC. And as such, gave advice and directives to officers of the corporation to carry out their duties.

Q And was there a public relations line to the outside as to whether or not he was involved in the management of Scientology organizations?

A Yes.

Q And what was that?

A That he was very much on the management lines; that he was doing data evaluations; that he was in regular communications with Scientology executives; that, in fact, there were several pictures of him taken and posted with those people to promote that.

Q This is to Scientologists?

A Yes.

Q Now when I say that was within the organization, that was the public relations line?

A And to the public.

Q Now, with regard to government and officials of various ports you went to, was there a public relations line or shore story with respect to what he was doing?

A Yes.

Q And what was that?

A That was that he resigned from all directorships in 1966. Had no direct contact with Scientology organizations and often wrote books or engaged in his hobbies of photography and that was very much played down, his relationship, but that he still retained his position as founder and, of course, gave advice from time to time.

Q Was that latter public relations story true?

A No.

Q And how long did you remain senior personal public relations officer from 1973 forward?

A All together about eight years.

Q And there were periods of time when you were removed from that post?

A Yes. The longest removal for an eight month period.

Q And when was that?

A That was in 1978 and through to '79.

Q And what happened then?

A I was sent to the RPF on the List 1 project.

Q What was the List 1 project?

A That was a culling of folders for List 1 rock slams, the meter read and sec checking to determine if you had a List 1 rock slam.

Q What was a List 1 rock slam?

A Well, it is an agitated motion on the E meter which indicates that one has crimes against the subject which is being discussed.

My particular List 1 rock slam was on myself, which was later found to be not so, but --

Q Who were the subjects on List 1?

A LRH, MSH, Scientology, Orgs, the E meter, preclears, auditors, Scientology-related subjects. I think there were about 20 things on the list.

Q Now was this in the middle of the Department of Justice investigation, if you know, that this project took place?

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and they by now were growing up and they were writing their own programs which he would approve and issuing these to management.

Q And during that period of time were there programs or operations to prevent any process servers from serving L. Ron Hubbard?

A Yes.

Q And what were those?

A They were essentially issued to my husband at the time, Fred Rock, who was the port captain or the PR person representing the Friends of Norton Karno, and we did drills on the staff, how to handle subpoena service and how to answer that he wasn't there and that sort of thing.

Q And, for example, did Mr. Hubbard have a get-away car on the premises?

A Yes.

Q Now, in early 1980 do you recall the threat of a governmental raid?

A Yes.

Q And what was that?

A Well there had been a raid and it seemed that the Guardian's office had information from somewhere that there was another raid imminent, and their concern was that the Gilman Hot Springs property would be raided because at that time our security in our location was getting to be pretty well known, and what was going on there was getting to be pretty well known, and so they suspected that a target for an attack or a raid would be Gilman Hot Springs.

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At that time as an executive, I was briefed with other heads of the organizations at Gilman Hot Springs that that looked like it was going to occur and that we were going to go on kind of an all-hands alert to handle that situation.

Q And what was done to handle it?

A Well the major thing that was done was to get rid of extraneous material that might be taken in the shredding project.

Q And how massive a shredding project took place?

A Well, in the garage there was a top of the line shredder that we used to call Jaws which was a massive machine that went 24 hours a day.

There were also teams which buried material under the floorboards and in the grounds of the property which is about a square mile, an ex-golf course, 27 hole golf course. So they were out digging and that sort of thing.

Q What types of material was buried?

A Valuable documents that we didn't want to shred but which were so sensitive that they couldn't be found or seen.

Q Such as the Commodore's Messenger logs; were they buried?

A Yes.

Q What were they?

A They were a record of every order he ever gave

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on the ship and the person's response to it on a 24-hour basis.

Q And the orders while he was a La Quinta and Gilman Hot Springs, et cetera?

A Yes.

Q And those Commodore Messenger orders reflected the control mechanism of L. Ron Hubbard throughout that period of time of Scientology organizations?

A Yes, in two ways, by substance and by pure volume.

Q What was the volume of it?

A Many ledgers, stacks of ledgers.

Q Approximately how many people were involved in the shredding process?

A Well, everyone on the property was involved, and at that time I believe there was about 180 people, but people who were engaged in the motor pool and grounds were, of course, didn't have very much material to go through, so they weren't involved for the entire time, maybe a couple of hours.

Q What were the ground rules or the criteria by which documents were selected to be shredded?

A Well, anything that indicated that L. Ron Hubbard controlled the church or was engaged in management was to be shredded.

Q Do you know why that was, Miss Sullivan?

A Yeah. It was so that if there was a raid, that no information about his control of the church would be in the hands of the opposition.

Q And do you know whether that had to do with inurement issues and money issues as to who controlled Scientology moneys?

MR. HARRIS: Objection; compound and leading.

THE COURT: Overruled.

Q BY MR. FLYNN: And incidentally at that time were you familiar with the practice of the board of directors giving undated letters of resignation?

A Yes.

Q And over how long of a period had you been familiar with that practice?

A Since approximately 1974 on the ship. I knew about OTC and I had heard comments about it earlier.

Q Do you know whether Kima Douglas was the director of RRF, Religious Research Foundation?

A That has to do with --

THE COURT: All right then the privilege will be sustained at this point.

Q BY MR. FLYNN: Now, Miss Sullivan, based on your observations in the personal office of L. Ron Hubbard between 1973 and 1980, did you observe as to whether there was any corporate integrity to the various Scientology organization

A Well I did observe it, yes.

Q And what did you observe?

A I observed that there was basically none.

Q And had Mr. Hubbard issued a publication on corporate integrity?

A Yes. And there were publications from the Guardian's Office.

Q And were those essentially shore stories?

A Yes.

Q Did all organizations do whatever Mr. Hubbard told them to do during the period of time that you were involved?

MR. HARRIS: How in the world, Your Honor, could she --

THE COURT: To the extent you have knowledge, you may answer; to the extent you don't have knowledge you should so state.

THE WITNESS: In my experience every person in every organization made their best efforts to follow his instructions to the letter.

There was, of course, dissension from time to time and that person didn't usually last very long.

Q Now, I believe you -- did you give both criteria that were used to determine what documents were going to be shredded or just one criteria?

A I didn't give all of them.

Q What were the other criteria?

A Any evidence that LRH had been on that property; involvement in international affairs. From time to time there were independent judgments made. Some of the things that she believes she last saw you in 1977, I think it was.

When did you last see Mary Sue Hubbard?

A Late May 1981.

Q And where did you see her?

A At the New Otani Hotel in Los Angeles.

Q And what were the circumstances under which you saw her at that time, Miss Sullivan?

A I arranged a conference room for her and Mulliga Henning Heldt, Dede Reisdorf, David Miscavige, Bill Franks and possibly one other to discuss some disagreement over the MCCS mission.

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Q And who attended?

A Those people and possibly one other.

Q And at that time what was Bill Franks' position?

A Executive director international.

Q Theoretically, was he the highest official in the Church of Scientology?

A Yes.

Q In fact was he?

A No; in fact, he sat with me in the lobby in the last half of the thing while these other guys hashed it out.

Q The other guys being who?

A Mary Sue, Henning Heldt, Ann Mulligan, Diane Riesedorf, David Miscavige, possibly Gale Irwin. That is all I recall.

Q And they were hashing out aspects of MCCS?

A Yes.

Q Now, what was Henning Heldt's position at the time?

A He was management liaison for the office of Controller. And so communications to management were going through him and to CMO and so on.

Q And in your experience were these people the people who were running the organizations under L. Ron Hubbard?

A Yes.

Q And David Miscavige was there; is that correct?

A Yes.

Q What was his position at that time?

A He was chief officer of the CMO.

Q Was it understood by the people present that he was the communications link to L. Ron Hubbard at the time?

MR. HARRIS: Understood by this witness, Your Honor?

THE COURT: To the extent of your knowledge of the subject, you may answer it.

MR. LITT: Your Honor, may I say that it appears that Miss Sullivan herself did not attend this conference.

THE COURT: She was part of it. Apparently they were outside when other things were happening.

The question is whether or not Mr. Miscavige was the missing link.

MR. LITT: As the people at the meeting understood. But it wasn't understood that she was at the meeting.

THE COURT: I got the impression that she was there during part of it.

THE WITNESS: That is so.

THE COURT: To the extent that you have knowledge, what was your knowledge on that subject?

THE WITNESS: About the link to L. Ron Hubbard?

THE COURT: Yes.

THE WITNESS: David Miscavige told me that there was a line to him, but that it wasn't something that he could originate and make sure that communication got to him, but that if materials were called for, he could arrange for materials to go to him and requested documents of me and communications from me and even briefing reports from me so that if in fact these things were called for, that they would be ready to go.

And I did this a number of times.

Sometimes it appeared that there had been a response because of authorization to plans. I didn't actuall see a response, but it seemed to me that confirmations were received.

Q BY MR. FLYNN: Now, was there at that time a reason why the location of L. Ron Hubbard, to your knowledge, was being kept secret?

THE COURT: Assuming that this had nothing to do with information that you acquired in this MCCS program. If it involves that, then you tell us that it does and we won't go any further.

THE WITNESS: There was one reason. And that was -- well, there were a number of reasons. Some of them involved MCCS.

One of them was to avoid subpoena in a lawsuit.

Q BY MR. FLYNN: To your knowledge were there lawsuits going on at the time in which Mr. Hubbard was the defendant?

A Yes.

Q Do you receive communications from Mr. Hubbard in 1980 or 1981?

A Yes, I did.

Q And this was after he had left and supposedly gone into seclusion?

A Yes.

Q What communications did you receive?

THE COURT: I'll sustain the objection.

Q BY MR. FLYNN: Then you say, "right now it doesn' affect what you are doing."

What does that mean?

A Well, what it meant was that Gerry was going about his business, performing his duties and supplying Omar. He was taking care of the documents. They were in safekeeping. He kept excellent receipts. So if there was ever to be any reimbursement for funds spent and then to sort out that, this wouldn't be a problem. So he could just carry on with his job and let the legal work catch up to him.

Q And this legal was all ongoing to determine who worked for who and where the monies were coming from and who owned what; is that correct?

A Yes.

Q Then you say, "You are working for the CSC and supported by SOR belonging to CSC."

What did that mean?

A Well, that is kind of a shore story.

What it means is that the money that Gerry was getting was coming from the Church of Scientology of California reserves.

Q Who controlled those reserves, to your knowledge?

A A number of people had access to them.

L. Ron Hubbard had control.

Q Now, you say it was a shore story; was it a shore story similar to the Friends of Norton Karno shore story?

A Well, in a sense. But there is also some aspects to it that are part of MCCS.

It makes it difficult for me to answer.

Q What are those aspects?

MR. HARRIS: Well --

THE COURT: I'll sustain the objection.

MR. FLYNN: Your Honor, they introduced the exhibit.

THE COURT: Well, that is true. But I don't know that that would necessary work a waiver of the whole kit and kaboodle here.

Q BY MR. FLYNN: You say, ". . .when the new corps get set up, you'll be paid by the new corp. But very likely will receive your project funds by CSC."

What does that mean?

A Well, CSC had a responsibility to supply and cooperate with the biography project and so that they would do so, as the new corporation ASI would get set up or some similar named corporation.

Q ASI being Author Services Inc.?

A Yes.

Q The management company for L. Ron Hubbard?

MR. HARRIS: Objection, Your Honor.

THE COURT: You don't have to keep repeating things.

I'll sustain the objection.

THE WITNESS: That it was evidence to me that is where Gerry would go. But in the meantime, that is where he got

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WITNESSES

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EXHIBITS

PLAINTIFF'S:	FOR IDENTIFICATION
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86 - Document Confidentiality of PC Folder Data	3495
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AAAA - Not described on the record	3393
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DDDD - 2 documents "Re Biography Contract Negotiations" 10-23-80	3416
EEEE - Not described on the record	3467
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THE WITNESS: Your Honor, could we have the question --

THE COURT: Read the question, please.

THE REPORTER: The question was taken by the other reporter, Your Honor.

THE COURT: The question was was David Miscavige the communications link between Author Services and LRH.

THE WITNESS: Sometimes yes and sometimes no. It is not -- no. The --

If your question means is he the absolute communications link between L. Ron Hubbard and Author Services, the answer is no.

MR. FLYNN: That was not the question.

THE COURT: Then I misstated it.

Q BY MR. FLYNN: Between February, 1980 and the present time has he been the communications link between L. Ron Hubbard and Author Services Inc.?

MR. HARRIS: I'll object to that as irrelevant and calling for a conclusion.

THE COURT: Well, when did Author Services Inc. come into existence? He could have been the communicator before that time.

MR. FLYNN: I'll withdraw it and back up a little bit, Your Honor.

Q Before you were the Deputy Executive Director for Author Services Inc. what was your position in that organization if any, Mr. Spurlock?

A Corporate Affairs Director.

Q And when did you take on that post?

2-2

A In March of 1982.

Q And when did you take on the post of Deputy Executive Director?

MR. LITT: Objection. Asked and answered.

Q BY MR. FLYNN: That is February, 1983; is that correct?

A Correct.

Q Do you know when Author Services Inc. was incorporated?

A I believe it was somewhere around October, 1981.

Q Did you play any role in the incorporation of that organization?

A No, I didn't.

Q Do you know who the incorporators were?

A I believe it was Ron Pook.

Q Was he the only incorporator?

A I don't know.

Q Is he currently with the organization?

A No.

Q Do you know who the present Board of Directors of the organization are?

A Yes.

Q Who?

A Norman Starky; Fran Harris; John Alcock.

Q Have you ever been a member of the Board of Directors of Author Services Inc.?

A No.

Q Do you know whether or not those individuals have signed undated letters of resignation?

MR. HARRIS: It is irrelevant, Your Honor. Object.

THE COURT: I'll sustain the objection.

Q BY MR. FLYNN: Prior to March, 1982 what was your position, Mr. Spurlock?

A Immediately prior? Way prior? Do you mean --

Q Within the prior year.

A Within the prior year I worked for Church of Scientology of California.

Q In what position?

A Investment Officer International.

Q What were your duties in that position?

A I had a variety of duties.

I was basically an assistant to WDC on investments and financial matters.

Q Did you basically invest the church's monies?

MR. HARRIS: Church of Scientology of California monies?

Q BY MR. FLYNN: Church of Scientology of California is that what you did?

A I didn't do it personally.

Q You advised as to investments of the Church of Scientology of California's monies; is that correct?

A That would be a fair statement.

Q Were those called "Sea Org Reserves"?

A Yes.

Q And how long did you hold that position?

A From about April, 1979 to November, 1981.

Q In November, 1981 what position did you hold after Investment Officer International of CSC?

A I went to work for R accounts or LRH through R accounts to assist in some estate planning matters. There was no formal title.

THE COURT: Is this Author Services now a profit corporation or nonprofit corporation?

THE WITNESS: It is a profit corporation.

THE COURT: Who were the shareholders if you know?

THE WITNESS: The employees. I don't know the exact breakdown.

THE COURT: What employees?

THE WITNESS: Pardon me?

THE COURT: What employees?

THE WITNESS: Of Author Services.

THE COURT: Does that include you?

THE WITNESS: Yes.

THE COURT: How many employees does the company have?

THE WITNESS: 24, 25.

THE COURT: They are each shareholders?

THE WITNESS: No.

THE COURT: How many employees are shareholders?

THE WITNESS: I really don't know.

THE COURT: Is LRH a shareholder?

THE WITNESS: No.

THE COURT: Does anybody hold shares in his behalf to your knowledge?

THE WITNESS: No.

THE COURT: How about Mary Sue; is she a shareholder?

THE WITNESS: No.

THE COURT: Does anybody hold shares in her behalf, if you know?

THE WITNESS: No.

THE COURT: Any trust that holds the shares?

THE WITNESS: No.

THE COURT: You may continue, counsel.

Q BY MR. FLYNN: There is no trust, Mr. Spurlock, that holds any shares on behalf of L. Ron Hubbard; is that your testimony?

A That is right.

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EXHIBIT C

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

TONJA BURDEN,) CASE NO. 80-591-Civ-T-K
Plaintiff)
v.)
CHURCH OF SCIENTOLOGY)
OF CALIFORNIA,)
Defendants)

SUPPLEMENTAL AFFIDAVIT OF GERRY ARMSTRONG

I, Gerry Armstrong, hereby depose under pains and penalties of perjury as follows:

1) I have personal knowledge of policies of the Church of Scientology relating to the following facts, or I have had possession of documents and tapes relating to the following facts:

2) On or about September 28, 1980, a meeting took place in the Cedars Complex at Los Angeles, California, one of the corporate headquarters of the Church of Scientology of California, (CSC). The meeting was attended by Charles Parselle, (C.P.), Deputy Guardian for Legal, (DGL), at WW, who was in charge of all legal activities for Scientology

throughout the world and Laurel Sullivan, (L.S.), the personal representative of L. Ron Hubbard, a long term senior executive of Scientology and then In Charge, I/C, of a special legal Mission, (MCCS), which mission was seeking to conceal Hubbard's control of Scientology and develop strategies to effectuate actual control by Mr. Hubbard without incurring legal responsibility. Dick Sullivan, a junior executive of the MCCS mission, pursuant to orders, tape recorded the meeting. The individuals in attendance at this meeting are knowledgeable of the fact that Mr. Hubbard has always controlled all aspects of CSC including its bank accounts, policies, etc.

3) At the meeting, the following exchange took place relating to the corporate structure of the Organization and Mr. Hubbard's position in the structure. This exchange was tape recorded with the knowledge and assent of all present:

> L.S. "There is no need for them to be the actual Board of Directors.
>
> C.P. There's no need at all for them to be the Board of Directors in order for them to run the Church, but the authority of the Church has to lie somewhere, and on some basis. And since the Church has always chosen a corporate entity, eventually the authority is going to have to vest with the Board of Directors. The only reason it's worked so long without that occurring is because is because everyone has effectively been bound by the authority of LRH and have ignored corporate lines." (Emphasis supplied)

(78)

4) It was common knowledge among senior executives of CSC that Mr. Hubbard had absolute control of all large corporate bank accounts and that he, alone, had the authority to order withdrawal of very large amounts from these accounts. He controlled these accounts through various people, mainly CMO members. Neither the "Directors" of CSC nor any other CSC executives had such authority or control. This policy was practiced throughout the period of at least 1970 to when I left the Organization in December, 1981.

5) Mr. Hubbard received millions of dollars through a dummy corporation (R.R.F.), specifically set up to funnel money to him which should have been paid to CSC by foreign customers paying for "Flag" services. "Flag" is part of CSC. At a strategy meeting on September 29, 1980, held by several high ranking senior executives of the Church, the purpose of which was to develop legal strategies to shield Mr. Hubbard but funnel corporate money to him, the following exchange took place. This exchange was tape recorded with the knowledge of all present. The following people were some of those present:

a. Charles Parselle, Deputy Guardian Legal World Wide, (CP)

b. Alan Wertheimer, attorney for L. Ron Hubbard working with Laurel Sullivan and the MCCS Mission, (AW)

c. Laurel Sullivan, L. Ron Hubbard's Personal Representative and I/C of MCCS, (LS)

(79)

d. Dick Sullivan, husband of Laurel Sullivan and a junior executive on the MCCS Mission, (DS)

The exchange was as follows:

CP: "Right. That's a very helpful exercise. And also I may say this, that it is very very helpful for LRH to have his own attorneys, i.e. yourselves, because for many years we have been missing this essential service and we have done this exercise of trying to think of the way it would be on the one side and trying to think of the way it would be on the other side and it really doesn't work very well to do that. It doesn't work to represent both parties at the same time. Especially if you also happen to be a Scientologist and involved in that particular way as well. So, I'm with relief representing the Church interest and I certainly invite you to represent Ron's interest as much as you can. I say that RRF, which is as far as I am concerned part of the Church, made a mistake when it paid over that 2.1 million. RRF had nothing... We could say that RRF and [illegible] are part of the same Church, even though they are corporately different. I mean if anything was a sham corporation, it's RRF.

AW: "As I understand it, RRF receives monies that would otherwise be due the California Church for services rendered by the California Church to people outside of the country who decide to pay the Church from outside the country.

CP: "That's right.

AW: "So that's basically right?

CP: "That's right. Foreign - non-US Scientologists who wish to pay for Flag services pay RRF and then go to Flag and take the services. RRF was originally supposed to hold the money until the service was rendered and then pay it to CSC. But in fact, it has not really done that and so CSC has rendered much service to many foreign Scientologists and RRF has got the money. Fortunately for us, RRF wasn't incorporated until 1973 and we are now litigating 1972. So, I haven't really tried to sort this one out but it obviously is the classic case (loud laugh) of inurement, if not fraud.

(Several laughs.)

LS: "Well, put.

Speaker Unidentified: "It's all privileged.

DS: "The tape recorder is going here, Charles.

CP: "However, as you can see, our financial direction is really weighted to this solution and it is an ongoing battle which I will eventually win because I am the one who has to litigate the case next year and we obviously have to handle RRF. The way we will probably handle it is by simply saying it is part of the same Church, in fact. Now that, of course, goes directly contrary to what you're doing which is to split LRH off from the Church and to talk about the corporate integrity of the different Churches. Unfortunately, the Churches do not have any corporate integrity. And our efforts to give them corporate integrity have not hitherto been successful. Now when you talk around a table like this and there is no Internal Revenue agent present, (whispered: I hope so), bugged or otherwise, one can work out solutions. But when you are a few weeks away from a trial and everything you say is going to be rammed down your throat, then you have to start looking at what actually happened. And it's very difficult to assign significances to things other than what was actually being done at the time. We are trying to say for example that Flag in 1970 is a part of California Church which is probably true but there is no documentation to say that and the truth of the matter is that Marty Greenburg, the accountant, decided to include Flag's accounts in California accounts some years later for convenience. So the decision, what is - the IRS can say and are in fact alleging that Flag in those years, 1970 to 1972,

> was an unincorporated association to which CSC's income inured on a grand scale. We cannot point to a document which says, "Actually Flag was part of CSC during the years of question" because it doesn't exist because no one really thought of it. So, we have to have a different theory of the case which is going to account for all facts and omitted facts which do exist.
>
> Speaker Unidentified: "Is this the why of efforts to create corporate integrity in 1980?"

6) It is common knowledge among senior executives of the Organization and it is the policy of CSC that Members of the Boards of Directors of the various Scientology corporations are mere figureheads, without authority or control, not for internal corporate reasons, but rather to vest control in Mr. Hubbard. I have personal knowledge that in order to carry out this corporate fraud, Organization executives have engaged in various unethical practices including backdating phony Board Minutes and forging signatures.

STATE OF CALIFORNIA,
COUNTY OF Orange } ss.

ON August 11, 19 8
before me, the undersigned, a Notary Public in and for said State, personally appear
Terry Armstrong known to m
to be the person__ whose name__ is subscribed to the within instrume
and acknowledged to me that _he_ executed the same.

OFFICIAL SEAL
JOALENE M. YOUNG
Notary Public - California
ORANGE COUNTY
My Commission Expires January 29, 1985

WITNESS my hand and official seal.

Joalene M. Young
Notary Public in and for said State.

[illegible]

(82)

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 2029 Century Park East, Suite 3270, Los Angeles, California 90067.

On May 28, 1992, I served the foregoing document described as **SUPPORTING DECLARATION OF GERRY ARMSTRONG TO DEFENDANTS' AND COUNTER-CLAIMANTS' OPPOSITION TO PLAINTIFFS AND COUNTER-DEFENDANTS' MOTION FOR PROTECTIVE ORDER RE FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS OR THINGS AND FOR SANCTIONS** by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

[SEE ATTACHED SERVICE LIST]

[X] BY MAIL - I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid as follows: I am readily familiar with firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with U.S postal service on the same day with postage thereon fully prepaid at Los Angeles, California in the ordinary cause of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[X] BY PERSONAL SERVICE - I caused such an envelop to be hand delivered by hand to the office of the addressee. ***NOTE SERVICE LIST.**

[ ] [State] I declare under the penalty of perjury under the laws of the State of California that the above is true and correct.

[X] [**Federal**] I declare that I am in the office of a member of the bar of this court at whose direction the service was made.

Executed on May 28, 1992, at Los Angeles, California.

Yolanda Dennison
Type or Print Name

Yolanda Dennison
Signature

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Calabasas, CA 91302

HUB LAW OFFICES
711 SIR FRANCIS DRAKE BOULEVARD
SAN ANSELMO, CALIFORNIA 94960-1949
(415) 258-0360

FORD GREENE
LAWYER

LICENSE No. 107601
FACSIMILE (415) 456-5318

July 19, 1992

Laurie J. Bartilson, Esq,
BOWLES & MOXON
6255 Sunset Boulevard, Suite 2000
Los Angeles, California 90028

BY Telecopier

Jeanne M. Gavigan, Esq.
BOWLES & MOXON
6255 Sunset Boulevard, Suite 2000
Los Angeles, California 90028

BY Telecopier

RE: *Refund Claim* of Tillie Hanna Good from Church of Scientology of River Park Mission

---

Tort Claims Against:

- Religious Technology Center
- Church of Scientology International
- Scientology Missions International
- Church of Scientology of River Park Mission
- Hubbard Dianetics Foundation
    - Brian Anjo
    - Tree Nebecker
    - Russell McKevitt
    - David Brink
    - Susan Doe
    - Richard Doe
    - Paul Doe

WARNING: One year statute expires on July 22, 1992. In absence of a tolling agreement, a lawsuit will be filed.

Dear Mss. Bartilson and Gavigan:

I have agreed to represent Tillie H. Good with respect to certain claims she possesses against the above referenced corporate components and individual agents of the Scientology Organization. The purpose of this letter is for settlement only and no part of it shall be used in any proceeding, formal or informal, aside from settling her claim.

4570

Finally, Ms. Good insists that Scientology representatives shall make no effort to contact her. All communications to Ms. Good shall be directed through my office. Failure to respect this request will result in action to obtain the appropriate restraining orders. Ms. Good's settlement check shall be made out jointly to her and to me as her attorney.

Please confirm your agreement regarding the suspension of the one year statute of limitation. Otherwise, Ms. Good will be required to file suit in order to stop such statute from running.

Sincerely,

FORD GREENE

:acg
Encls. (sent with telecopy and by mail)
cc: Tillie Hanna Good (with enclosures)

Ford Greene
Lawyer

HUB LAW OFFICES
711 Sir Francis Drake Boulevard
San Anselmo, California 94960-1949
(415) 258-0360

License No. 107601
Facsimile (415) 456-5318

July 2, 1992

Laurie J. Bartilson, Esq,
BOWLES & MOXON
6255 Sunset Boulevard, Suite 2000
Los Angeles, California 90028

By Telecopier

William T. Drescher, Esq.
23670 Calabasas Road, Suite 338
Calabasas, California 91302

By Telecopier

RE: Refund Claim of Denise Cantin, D.O.
Against Scientology Organizations:

- Sterling Management
- Church of Scientology, Orange County
- Church of Scientology, Clearwater
- Church of Scientology, San Francisco
- Church of Scientology, Boston
- International Association of Scientologists
- Freewinds

IAS No. 00050649

Counsel:

Dr. Cantin has employed me to obtain a complete refund of all moneys she has paid to the above referenced organizations from November 1988 through September 1991. The purpose of this letter is for settlement only and no part of it shall be used in any proceeding, formal or informal, aside from settling her claim.

Dr. Cantin has spent a substantial amount of money on various Scientology courses and services. She has been misled by what Scientology representatives stated she would gain from purchasing its services, as well as statements that her sexual privacy would be respected and be free from intrusion. She has been hurt by the way she was treated after the commencement of her scientological affiliation.

An itemization of the amounts specific to each component of the Scientology organization is set forth in the Schedule of Scientology Expenditures enclosed herewith. Documentation of said expenditures will follow with the mailed copy of this letter.

Please confirm your agreement regarding the suspension of all statutes of limitations. Otherwise, Dr. Cantin will be required to file suit in order to stop all such statutes from running.

Sincerely,

FORD GREENE

:acg
Encls. (not sent with telecopy)
cc: Denise Cantin, D.O. (by fax and by mail with enclosures)

HUB LAW OFFICES
711 Sir Francis Drake Boulevard
San Anselmo, California 94960-1949
(415) 258-0360

Ford Greene
Lawyer

License No. 107601
Facsimile (415) 456-5318

October 29, 1991

Laurie J. Bartilson, Esq,
BOWLES & MOXON
6255 Sunset Boulevard, Suite 2000
Los Angeles, California 90028

By Telecopier

William T. Drescher, Esq.
23670 Calabasas Road, Suite 338
Calabasas, California 91302

By Telecopier

RE: ED ROBERTS
IAS No. 11430-027-0002-6813

Counsel:

I have agreed to represent the above-referenced individual with respect to claims he may have against various Scientology-related organizations.

Based upon a Statement of Account from the Stevens Creek Org dated May 5, 1991 (copy enclosed for your review), Mr. Roberts possesses a sum of $10,661.23, minimum, which remarkably remains from far larger amounts of money obtained from him by Scientology in advance of the delivery of any goods or services that such money was to purchase. He wants his money returned, now.

One of the methods that Scientology employed to obtain such money - in advance of delivery of goods and services - from Mr. Roberts was through certain loans secured by his house. One of those loans, set up by registrar Debbie Leake, through Loan Arranger, Inc., was for $36,000. It was secured by a Second Deed of trust on Mr. Roberts' house. That deed has been foreclosed on by Loan Arranger, Inc. Unless Mr. Roberts can deliver a certain sum of money on or before October 31, 1991, he will be evicted from what has been his home and lose any chance of repurchasing the same.

Based upon the foregoing reason, it is imperative that all of Mr. Roberts' money, possessed by your clients in trust or otherwise, be returned to him immediately. In my opinion, your clients stand in - and must discharge the duties of - a fiduciary relationship, at minimum with respect to Mr. Roberts and his $10,661.23 + .

Be on notice that Ed Roberts' present and future welfare is in substantial degree materially contingent upon the immediate cooperation of your clients in returning Mr. Roberts' trust money.

Any delay whatsoever will be considered a failure to discharge a fiduciary obligation which will set in train a number of severely adverse consequences, both with respect to both Mr. Roberts and the extent of your clients' exposure.

This demand is not subject to negotiation.

Please advise immediately whether or not this demand will be honored or is rejected.

Your clients are also on notice **not to destroy** any papers of any kind or description, including specifically, but not necessarily limited, to any papers regarding:

(1) Any financial arrangements leading to the payment of then-present and future goods and services from any Scientology-related organization; and/or

(2) Mr. Roberts' auditing files.

Sincerely,

FORD GREENE

:acg
Encl. (1)
cc: Ed Roberts

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

--oOo--

CERTIFIED COPY

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation,

Plaintiff,

vs.

No. BC 052395

Gerald Armstrong; Does 1-25, inclusive,

Defendants.

DEPOSITION OF
GERALD ARMSTRONG

Thursday, October 8, 1992

VOLUME IV

REPORTED BY: BARBARA H. STOCKFORD, CSR No. 4575 verbally, to the Aznarans concerning their case, have you had any other communications with the Aznarans concerning their case?

MR. GREENE: That misstates his prior testimony.

Don't answer that question.

MS. BARTILSON: Hard to answer if I can't finish it. Why don't you let me finish the question and raise the objection so we have a complete record?

MR. GREENE: I thought you said "did you have any communications on any other cases." I thought you were finished. Sounded like the end of a question to me.

MS. BARTILSON: No.

Can you read back what I had so far?

(Record read.)

MS. BARTILSON: By George. I take it back. I finished the thought. I didn't even know it.

So he's not going to answer?

MR. GREENE: That is correct.

MS. BARTILSON: Okay.

Q. Mr. Armstrong, do you know Tilly Good?

A. Yes. In the sense -- when you say "know," I know of her existence, yes.

Q. Have you ever spoken with Ms. Good?

A. Yes.

Q. On how many occasions?

A. Perhaps four.

Q. Have you ever met Ms. Good?

A. No.

Q. Have you ever worked on a her case file?

MR. GREENE: Objection. Attorney-client work product privilege.

All of the prior objections which would be work product, privacy, interference with right to counsel and attorney-client.

MS. BARTILSON: These are asserted on behalf of Ms. Good?

MR. GREENE: That's correct.

Well, no. Attorney-client and work product are asserted on behalf of Ms. Good. And privacy is asserted on behalf of my office generally. And Sixth Amendment is asserted on behalf of Ms. Good.

MS. BARTILSON: Q. When is the first time you remember speaking with Ms. Good, Mr. Armstrong?

A. Some months ago.

Q. In 1992?

A. I believe so.

Q. Was it before April 1992?

A. I don't recall.

Q. When is the last time you recall speaking with Ms. Good?

A. Perhaps a month ago.

Q. Have you provided Mr. Greene with any assistance in working on Ms. Good's case?

A. I'm going to instruct you not to answer that based on ambiguity and vagueness.

MS. BARTILSON: Ambiguity and vagueness?

MR. GREENE: Right.

MS. BARTILSON: Q. Is Mr. Greene Ms. Good's attorney?

A. Yes.

Q. Does Ms. Good have a dispute with one or more Churches of Scientology?

MR. GREENE: And with respect to that, Mr. Armstrong, I will instruct you not to answer the question based on attorney-work product privilege.

MS. BARTILSON: Q. Mr. Armstrong, do you have personal knowledge whether or not Ms. Good has a dispute with any Church of Scientology?

MR. GREENE: Again, same instructions to Mr. Armstrong.

Don't answer the question.

MS. BARTILSON: Q. Or if she had one?

MR. GREENE: Same instruction.

MS. BARTILSON: I find this a little curious, Mr. Greene, since you have been bombarding my office with letters concerning Ms. Good's dispute. I can hardly see how you claim that's privileged information.

Q. Mr. Armstrong, do you know Denise Cantin?

A. Yes.

Q. Had you ever met Ms. Cantin -- Dr. Cantin?

A. Yes.

Q. Where did you meet her?

A. At the Hub law office.

Q. On how many occasions have you met Dr. Cantin?

A. One.

Q. When was that?

A. I would say approximately --

MR. GREENE: Wait, wait, wait.

Actually, Mr. Armstrong, I'm going to instruct you not to answer that question, and I'm going to -- that instruction is based on the attorney-client privilege between myself and Dr. Cantin, as well as work product privilege, because I do not want Scientology knowing anything about the frequency or anything else that I meet with my clients.

So don't answer the question.

And I also would add two other objections, which is the right to privacy and the interference with the right to counsel.

MS. BARTILSON: Don't hire Jerry Armstrong to be your paralegal when he's not supposed to do what he's doing. Real simple solution.

Not only that, he already testified she was at your office once, so you can at least let him tell me when he's not giving up anything.

Q. Have you spoken with Dr. Cantin on the telephone?

A. Yes.

Q. Have you discussed with Dr. Cantin her dispute with any Churches of Scientology?

MR. GREENE: And there, the same objections apply. The same instruction.

MS. BARTILSON: Even though I'm not asking for substance?

MR. GREENE: That's correct.

MS. BARTILSON: Okay.

Q. Do you know Ed Roberts?

A. Yes.

Q. Have you met Mr. Roberts?

A. Yes.

Q. Where did you meet Mr. Roberts?

A. In Boulder Creek.

Q. When was that?

MR. GREENE: And with respect to that, Mr. Armstrong, I'll give you the same instruction. And the -- for the same reasons as applied to Roberts.

MS. BARTILSON: Q. When you met Mr. Roberts in Boulder Creek, was it in connection with your employment as a paralegal for Mr. Greene's office?

A. Yes.

Q. Did you interview Mr. Roberts?

A. Yes.

Q. Did you take notes of your interview with Mr. Roberts?

A. No.

Q. At the time you interviewed Mr. Roberts, had he engaged Mr. Greene to represent him?

A. Yes.

Q. Was Mr. Greene engaged to represent him in his disputes with the Church of Scientology or related entities?

A. Yes.

Q. And did you interview him concerning that dispute?

A. Yes.

Q. I'll ask you again when that was.

MR. GREENE: You can answer.

THE WITNESS: In approximately November 1991.

MS. BARTILSON: Q. Have you spoken with Mr. Roberts since the time you interviewed him in November of 1991?

A. Yes.

Q. How many times?

A. Perhaps seven.

Q. Have you discussed with him on any of those seven occasions his dispute with one or more Churches of Scientology?

MR. GREENE: I'm going to draw the line there and instruct you not to answer for the same reasons previously stated.

MS. BARTILSON: Q. When was the last time you spoke with Mr. Roberts?

A. Perhaps two months ago.

Q. Since November of 1991, have you helped Mr. Greene prepare any documents in connection with the Roberts case?

MR. GREENE: As to that, I will draw the line and instruct you not to answer the question based on the reasons previously stated.

MS. BARTILSON: Q. Since November of

concerning the substance of Mr. Roberts' claims against any of the Churches of Scientology or related entities?

MR. GREENE: Same instruction; same reasons.

MS. BARTILSON: Q. Since November of 1991, have you had any discussions with Mr. Roberts or have you been present in any discussions between Mr. Roberts and others concerning his claims against Church of Scientology or any related entities?

MR. GREENE: Same instruction; same reasons.

MS. BARTILSON: Q. I'd like to ask those same questions concerning both Ms. Good and Dr. Cantin, and I assume they will be the same.

MR. GREENE: I will stipulate as to the same questions with the same two positions in response as to Tilly H. Good and Denise Cantin.

MS. BARTILSON: Good enough.

Q. Now, at some point after the settlement agreement was signed in December of '86, you received a payment from Michael Glynn of the money that you were due pursuant to the settlement agreement; is that correct?

MR. GREENE: That's been asked and answered.

MS. BARTILSON: I know; this is just

4584

PLAINTIFF'S EXHIBIT 60 GA 10/20/94

January 11, 1993

Daniel A. Leipold, Esquire
Hagenbaugh & Murphy
701 South Parker Street, Suite 8200
Orange, CA 92668

Re: CSI v. Armstrong, LASC No. BC 052395

Dear Mr. Leipold:

Please find herewith the following documents:

1. Scientology's ex parte application for order to show cause why Gerald Armstrong should not be held in contempt;
2. Order to show cause, rewritten and stamped by Judge Sohigian, setting a hearing 2/16/93;
3. November 1992 Membership News;
4. 1/5/93 letter from Laurie Bartilson to Ford Greene and Paul Morantz in response to my 12/22/92 letter.

At p.5, n.6 is Scientology's description of CAN. I believe this is an opportunity for the CAN membership to put in front of the judge who will rule on the OSC (Judge Diane Wayne, Dept 86) a balancing true picture.

That footnote also contains Scientology's assertion that it "is not presently suing the Cult Awareness Network in any litigation." Scientology says this because I am not barred by the Sohigian injunction from assisting defendant adversaries of the organization, only claimants. I think it would be helpful to assemble what is known of Scientology's fomenting the litigation against CAN, and include that in our opposition as well.

See as well the Bartilson declaration at p. 8, paragraph 17 which contains the same attack on CAN. Laurie Bartilson is, as you know, a partner at Bowles & Moxon, the law firm representing all the "litigants" she claims are not "Scientology."

The Membership News contains a column contemning me and a photo lifted from the 11/11/92 Marin Independent Journal. I think it would helpful to assemble what is known of Scientology's production of this bogus newsletter. The org's attack on me in its publication devoted to attacking CAN has only achieved two products: 1. it justifies and validates my connection to and support of CAN; 2. it puts another hole in Scientology's holier-than-thou hubris.

Please pass on any or all of these materials to the CAN principals, and let them know that anyone can call me any time. I look forward to working with all toward a speedy resolution of the Scientology situation.

Let's talk once you've had a chance to read this stuff.

Yours sincerely,

Gerry Armstrong
715 Sir Francis Drake Blvd.
San Anselmo, CA 94960
(415)258-0360

Enclosures (4)

cc: Ford Greene, Esquire
cc: Paul Morantz, Esquire (without enclosures)
cc: Toby L. Plevin, Esquire (minus exhibits B, G to ex parte application)

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California Not-for-Profit Religious Corporation,
Plaintiff,
vs.
GERALD ARMSTRONG; THE GERALD ARMSTRONG CORPORATION, a California Corporation; Does 1-25 inclusive,
Defendants.

Case No. BC-052395

CERTIFIED COPY

DEPOSITION OF GERALD ARMSTRONG

Volume VIII

Pages 946 - 1063

THURSDAY, OCTOBER 20, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

A. I don't recall having any communications with Mr. Atack.

Q. During the same time period have you had any communications with Ron Rowley, R-o-w-l-e-y?

A. No.

Q. Same period of time have you had any communications with Dan Leipold?

A. I don't believe so.

Q. During the same period of time have you had any communications with Cynthia Kisser?

A. Yes.

Q. When was the first such communication?

A. It was some -- perhaps a week ago.

Q. What was the nature of the communication?

A. I wrote to her.

Q. On what subject?

A. I wrote to her and suggested that Vaughn and Stacy, although Stacy was a brief mention, but really she's included too, that they be participants in the upcoming CAN conference in Cleveland.

MR. HERTZBERG: We would like to have production of that letter.

MR. GREENE: That's fine.

MR. HERTZBERG: Q. You have a copy of the letter, Mr. Armstrong; correct?

A. Right.

Q. Have you received a response from Ms. Kisser?

A. No.

Q. What was the purpose of making that suggestion by yourself to Ms. Kisser?

A. Because I think it could be beneficial to CAN and the Youngs and everyone else who was involved in bringing light to Scientology.

Q. In what way would it be beneficial to CAN?

A. Because CAN is the target of much attack by the Scientology organization, and Mr. Young has knowledge of that, both of them do, Vaughn and Stacy understand Scientology's use and manipulation of the media.

Their histories are interesting and their understanding of Scientology and the psychological aspect of Scientology, in addition to their histories and media expertise, I think are things which would be very educational to anyone, CAN or not CAN, who wants to better understand Scientology and its threat.

Q. At the time that you wrote this letter to Ms. Kisser, did you have an understanding that CAN was engaged in litigation with various Church of Scientology entities?

A. Yes.

Q. And did you have an understanding that that litigation includes at least one lawsuit brought by CAN against various Church of Scientology entities?

A. I know that to be true.

Q. You knew that at the time you wrote the letter a week ago to Cynthia Kisser; right?

A. Right.

Q. In the time period between August 19th and the present, have you had any communications with Priscilla Coats?

A. I don't believe so.

Q. Same time period, did you have any communications with Malcolm Nothling, N-o-t-h-l-i-n-g?

A. Yes.

Q. When was the first such communication?

A. There has, I believe, only been one and that was a telephone message which Mr. Nodhling left. And it was simply to advise me that the then pending December 1994 trial date in his case had been postponed and that it was now on for, I believe, May or June of 1995.

Q. Is that the sole communication between you and Mr. Nodhling during this time period?

A. I believe so, although there was a previous one some months ago, which may be on the edge of that August 19th date in which Mr. Nodhling advised me that the December date was on. So at that time we communicated, and the substance of the communication was the December

June 30, 1993

Mark Goldowitz, Esquire
1611 Telegraph Avenue
Suite 1200
Oakland, CA 94612

Re: CSC v. Wollersheim
Los Angeles Superior Court
Case No. BC 074815

By Fax (510)465-1985

Dear Mark:

Here are the press contacts I initiated yesterday:

1. Daily Journal (213)229-5300; Mike Tipping; gave him history of Wollersheim litigation, significance as I see it of present actions, what's been filed, lawyers involved, July 2 hearing; he says he will advise their Superior Court reporter and if possible cover the hearing.

2. Los Angeles Times, Joel Sappell (800)528-4637 (ext 77043); I urged him to get a reporter assigned to this story and Scientology to get up to speed, gave him background, 7/2 hearing, etc. He asked for documents (which I'll talk to you about later today).

3. Time, Rich Behar, (212)522-4205; urged him to pass on to LA Bu. He suggested I use his name to get to Bu Chief which I will do today. He did take several minutes of notes on Wollersheim history, present situation, players, etc.

4. Newsweek, Charles Fleming in LA (310)444-5254, very interested, took a lot of notes, recently did story on "Way to Happiness," and is getting educated in Scientology; hope to be at 7/2 hearing.

Yours sincerely,

Gerry Armstrong
c/o Hub Law

Gerry Armstrong
C/O Hub Law Offices
711 Sir Francis Drake Blvd
San Anselmo, CA 94960
(415)258-0360

PLAINTIFF'S
EXHIBIT
24

June 24, 1993

Mark Goldowitz, Esquire
1611 Telegraph Avenue
Suite 1200
Oakland, CA 94612

Re: CSC v. Wollersheim
Los Angeles Superior Court
Case No. BC 074815

Dear Mark:

This note accompanies the following deposition transcripts:

In Aznaran v. CSC, CV 88-1786-WDK

Vicki Aznaran:
6/21/88
6/22/88
6/28/88
6/29/88
6/30/88
7/1/88
7/7/88
7/8/88
5/9/89
5/10/89
6/15/89

Richard Aznaran:
7/14/88
7/15/88
9/7/88
9/8/88
1/23/89
1/24/89
6/12/89
6/13/89
6/14/89

In RTC v. Scott, CV 85-7197 JMI

VA:
8/1/89
8/2/89
8/3/89

Also here are the Curtis Harmon affidavits (to keep) and Playing Dirty (loan).

Yours sincerely,

Gerry Armstrong
c/o Hub Law

PLAINTIFF'S EXHIBIT
23
8-19-94

September 28, 1993

Mark Goldowitz, Esquire
1611 Telegraph Avenue
Suite 1200
Oakland, CA 94612

Dear Mark:

Please find herewith our Memorandum of Points and Authorities in Support of Special Motion to Strike filed in CSI v. Armstrong, LASC No. BC 084642 (Armstrong III).

Thank you for your contribution to our chorus.

Yours sincerely,

Gerry Armstrong
C/O Hub Law Offices
711 Sir Francis Drake Blvd
San Anselmo, CA 94960
(415)258-0360

PLAINTIFF'S
EXHIBIT
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8-19-94

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation,
Plaintiff,
v.

No. BC-052395

GERALD ARMSTRONG, THE GERALD ARMSTRONG CORPORATION, a California corporation, DOES 1 through 25, inclusive,
Defendants.
--------------------------------------/
and related cross actions.
--------------------------------------/

DEPOSITION OF GERALD ARMSTRONG

Volume VI - Pages 625 through 752

THURSDAY, AUGUST 18, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

you meant by "time out" and --

MR. GREENE: I'm telling you now and now you know, right?

MR. HERTZBERG: Apparently.

MR. GREENE: Okay. We're going to take a break for a second.

MR. HERTZBERG: You are entitled to take a break any time you want to.

MR. GREENE: I know, I know, so we'll be right back.

(Short recess.)

MR. HERTZBERG: Q. I'm ready to move on.

A. Okay. Move on.

Q. Assuming you're not going to change your position?

A. Right.

Q. All right. Mr. Armstrong, between March of 1993 and the present, did you furnish any person engaged in litigation with any of the Scientology entities covered in paragraph one or identified in paragraph one of the settlement agreement with any declaration which you executed?

A. Yes.

Q. And please tell me each such instance in which you did that during that time period.

A. I gave one in the Wollersheim II litigation, that's Scientology versus Wollersheim in the L.A. Superior Court.

Q. Who did you give that to?

A. To Mark Goldawitz.

Q. For the record, who is Mr. Goldawitz?

A. He's a lawyer for Lawrence Wollersheim.

Q. Now, Lawrence Wollersheim is a party to what you refer to as the Wollersheim II litigation; is that correct?

A. Right.

Q. So the record is clear, what is your knowledge of who the plaintiff is in the Wollersheim II litigation?

A. It's the Scientology organization.

Q. And what is your knowledge of who Mr. Wollersheim's position as a party into what you call the Wollersheim II litigation?

A. He's the defendant in the case.

Q. And Mr. Goldawitz represents Mr. Wollersheim in that case?

MR. GREENE: That's asked and answered.

MR. HERTZBERG: Q. What are the circumstances of your furnishing the declaration to Mr. Goldawitz in what you call the Wollersheim II litigation?

A. I had been in communication with Mr. Goldawitz a couple of times prior to this, prior to my execution of the declaration, and my communications with Mr. Goldawitz concerned that case.

Q. What you call the Wollersheim II case?

A. Yes. I knew of the existence of the case before Mr. Goldawitz got involved, and then I -- and I don't know who made contact with whom, but I did communicate with Mr. Goldawitz a number of times and have through the course of the Wollersheim II litigation.

Q. Did you have conversations with Larry Wollersheim at any juncture with respect to that litigation?

A. Yes.

Q. Did your first conversation with Mr. Wollersheim proceed a time that you communicated with Mr. Goldawitz?

A. Yes.

Q. Did you discuss with Mr. Wollersheim what issues were presented by the lawsuit which you call Wollersheim II?

MR. GREENE: Object to the point that it calls for the witness to state a legal conclusion.

MR. HERTZBERG: I'm not asking for any legal conclusion. You may answer.

THE WITNESS: At some point from Mr. Wollersheim I received either all or part of Scientology's complaint. So either prior to that I knew something of the substance, but I learned of it when I first read the complaint.

MR. HERTZBERG: Q. Mr. Wollersheim sent you the complaint; correct?

A. Yeah. I don't recall if it was the whole complaint or part of the complaint, but in any case, from him I received the complaint.

Q. Did you ask him to send it?

A. I don't know if I asked him or if he volunteered, but I was a willing recipient.

Q. And whatever portion of the complaint he sent you, whether it was the entire complaint or a portion of it, you read it; correct?

A. Yes.

Q. Then you spoke with Mr. Wollersheim about your conclusions; correct?

A. I don't know if I ever spoke to him about my conclusions.

Q. Subsequent to reading all or part of the complaint in what you call the Wollersheim II case, did you have any conversations with Mr. Wollersheim?

A. Yes.

Q. And in any of those conversations, did you discuss the fact that you had read what he sent you?

A. Although in all of my conversations with Mr. Wollersheim I did not have a specific recollection of those facts, I did discuss his -- the Wollersheim II case with him, various aspects of it.

Q. And you were hoping that he would prevailed in that case, were you not?

A. Yes.

Q. And you wished to assist him in that objective of prevailing in that case, did you not?

A. Yes.

Q. And pursuant to that desire to assist him at a point in time, you agreed to furnish a declaration, did you not?

A. Right.

Q. And you prepared that declaration yourself, did you not?

A. Right. When you say that, my recollection of that was that the sub -- a lot of it was taken by Mr. Goldawitz from an earlier declaration that he had of mine, which includes something of my history.

So Mr. Goldawitz actually took material from an earlier declaration himself, I believe, word processed it, prepared the document, and that I edited what he had or made a few comments on what he had, and then signed it in his office. But he typed it himself as both prior to my being there and as I was there. As I talked to him, he typed.

Q. And in any event, that declaration included some new material that you provided to Mr. Goldawitz; correct?

MR. GREENE: Objection. With respect to new material, it's vague.

MR. HERTZBERG: Q. You made some additions to whatever portions of that declaration incorporated prior declarations of yours, did you not?

MR. GREENE: Objection, still vague, becoming unintelligible.

MR. HERTZBERG: You may answer.

MR. GREENE: If you understand it.

THE WITNESS: Yes. There were matters which were new or specific or related specifically to the Wollersheim II litigation.

MR. HERTZBERG: Q. And you went over those with Mr. Goldawitz before you signed the declaration, did you not?

A. Yes. Some, like I say, some of it he typed it just as we were in his office talking.

Q. And in effect you dictated some of those portions to him, did you not?

A. Some of it is just my words.

Q. And to your knowledge, that declaration was subsequently submitted in connection with pleadings filed by Mr. Wollersheim in the Wollersheim II case?

A. Right.

Q. Aside from furnishing this declaration, did you have any discussions with Mr. Goldawitz about the conduction of the litigation by Mr. Goldawitz or any other attorneys

(Discussion off the record.)

MR. HERTZBERG: Q. All right. Are you ready? You want the question back and your partial answer?

A. No. I think I've got it. And I think that you understood what I said. There wasn't any, to my memory, any strategy of any kind conveyed and I don't have any.

Q. Other than the declaration which you furnished in the Wollersheim II case, did you furnish any other documents to Mr. Wollersheim or his counsel?

A. Yes, I have. I passed on to Mark Goldawitz, I don't recall the documents at this time, but have provided him with a number of documents.

Q. And what documents are those?

A. Well, I can't recall them all at this time, but my recollection is that they generally concerned the various Armstrong cases.

I do recall some now. I provided him a set of the documents relating to the second contempt matter which concerned my providing the declaration to him for use in the Wollersheim II case. So I remember that set of documents going to him.

Q. Any other documents that you recall that you transmitted to Mr. Goldawitz?

A. There may have been along the way other documents. I can't at this -- I just don't recall what they were.

Q. Do you have a list of them?

A. If there was correspondence which accompanied the documents, whatever the documents were, then that would be a source of a list. So at least some of it could be ascertainable by checking that correspondence.

Q. Have you maintained a copy of that correspondence?

A. I believe that it is available.

MR. GREENE: Yes.

MR. HERTZBERG: I'm going to ask -- the answer is yes?

MR. GREENE: Right. Provided that we can find it, the answer is yes to the request that between when we end today and we start tomorrow we will seek to ascertain and produce tomorrow an enumeration of the documents that Mr. Armstrong provided to Mr. Goldawitz.

MR. HERTZBERG: Good.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

--o0o--

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California Not-For-Profit Religious Corporation,

Plaintiff,

vs.

GERALD ARMSTRONG, THE GERALD ARMSTRONG CORPORATION, a California Corporation, Does 1-25, inclusive,

Defendants.

Case No. BC-052395

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By: Rosalie E. Stefani
CSR No. 3215

present, did you discuss any topic with Mr. Horne other than your own litigation?

A. Although I do not have a specific recollection of doing so, I may have discussed other events in the Scientology litigation world beyond my own Armstrong cases. For example, the Wollersheim II events or the -- the IRS ruling, those sorts of events I would have if it had been relevant or, you know, timely, germane.

Q. I don't want you to speculate. Do you have a specific recollection?

A. No.

MR. HERTZBERG: Okay, let's take a five-minute break.

MR. GREENE: All right. Back at 12:00, twelve o'clock?

(Discussion off the record; recess taken)

--o0o--

MR. HERTZBERG: Are you ready, Ford? Are you ready?

MR. GREENE: Sure.

MR. HERTZBERG: Okay.

Q. Since your deposition in March, 1993 in this matter and to the present, have you furnished any person engaged in litigation with any Scientology entity identified in paragraph one of the settlement agreement with a declaration, affidavit or other document other than those persons who you have identified already in your testimony yesterday and today?

MR. GREENE: So that would have -- would have been the declaration in CEC vs. Wollershiem and the two declarations in CSI vs. Fishman, so there's three declarations that you have in mind, and you're asking if there are any additionals within that time frame?

MR. HERTZBERG: But I'm also asking for any other documents.

MR. GREENE: All right. Well, let's do it, then, on a declaration basis and then do it on a document basis.

MR. HERTZBERG: That's fine with me.

MR. GREENE: Okay.

THE WITNESS: Okay, then, the answer is yes.

MR. HERTZBERG:

Q. And to whom?

A. To a Mr. Lawlay, L-a-w-l-a-y.

Q. Anyone else?

A. Although there may be, that's what has come to mind so far, but if you'd like me to see in the next minute or so if I can scan for other ones, I'll do that.

Q. I would like you to take a moment to see.

A. Okay. That's all that has come to mind at this point.

Q. What's Mr. Lawley's first name?

A. You know, I want to say Ron, like Ron Lawlay.

MR. HERTZBERG: Let's go off the record for a moment.

(Discussion off the record)

MR. HERTZBERG:

Q. Ron Lawlay, and who is Ron Lawlay?

A. He is an individual who was sued by the Scientology organization in England.

Q. And did you furnish him with an affidavit or declaration or both?

A. My recollection is that it was an affidavit.

Q. When did you execute the affidavit?

A. My recollection there is that it was early this year.

Q. After January of 1994?

A. In or about January. Could be February.

Q. And did you speak directly to Mr. Lawlay?

A. Yes.

Q. When did you first speak to Mr. Lawlay?

A. Not long before this, so it could have been in the late part of 1993 or the early part of 1994.

Q. In your initial conversation with Mr. Lawlay, was that initiated by you or by Mr. Lawlay?

A. My recollection is that I received a telephone call from Mr. Lawlay and had not myself prior to that time communicated to him.

Q. Tell us as you can best recall the substance of what you said to Mr. Lawlay and he said to you in that telephone call.

A. My recollection is that he described to me what his case, in which he had been sued, involved. And the communication initially had to do with my testifying in his case, which was coming to trial at that time in the near future.

At some point, and I believe in the first communication or perhaps in something which I was sent subsequently, I learned at least something of the issues in the case and how those things related to me.

And it was then discussed that prior to my testifying at the trial that I would provide an affidavit which would cover the areas of my expected testimony, and that a -- a draft as to format was, I believe, faxed to me, and that I then, using the format or the outline which was given, prepared an affidavit, and that there were therefore a series of telephone communications which built up to and related to that, but the initial one which you asked about concerned, I believe, a request on his part that I testify.

Q. And you readily agreed that you would testify?

A. I cannot say that I readily agreed because I don't really recall what the time frame was or what -- what was involved initially, but there came a time when I did agree, and we proceeded on from there.

Q. And in agreeing to testify on Mr. Lawlay's behalf you understood that your testimony was sought in order to assist him in the litigation he was engaged in, correct?

A. Yes.

Q. And in furnishing the affidavit to Mr. Lawlay you understood that that was going to be used by Mr. Lawlay and his counsel to assist in his conduct of the litigation that he was involved in, correct?

A. Yes.

Q. Was that affidavit ever filed in court, to your knowledge?

A. I don't know.

Q. You have a copy of the affidavit?

A. I believe so.

PLAINTIFF'S EXHIBIT
63 GA
10/20/94

AFFIDAVIT OF GERALD ARMSTRONG

I Gerald Armstrong, depose and state:

1. I am a Canadian citizen and a resident of San Anselmo, California, USA.

2. I am a writer and artist and I am the assistant of attorney Ford Greene.

3. I am making this statement with the intention that it be introduced in the trial now set for February 21, 1994 in the High Court in London of cases 1984 S No. 1675 Scientology AOSH Eu & Af -v- Scott, et al and 1986 C No. Scientology RECI -v- Carter, et al.

4. It is my understanding that these cases involve the taking and distribution of certain Scientology writings often referred to as "upper level materials." I am a witness to the following facts which will be raised at trial.

5. I became involved with Scientology as a customer in 1969 in Vancouver, B.C. I worked on staff there in 1970 and in February 1971 joined the Sea Organization (SO or Sea Org), Scientology's quasiparamilitary core organization in Los Angeles. I was flown to Spain and joined the Sea Org's flag ship, "Apollo," in Morocco. L. Ron Hubbard, the Sea Org's "Commodore," was on board and operated Scientology internationally through the "crew" which numbered, during my stay on board of four and a half years, around four hundred. All my staff positions on board involved personal contact with L. Ron Hubbard, Mary Sue Hubbard, administrative organization staff and people in the ports and

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countries the "Apollo" visited. These on-board positions included "Ship's Representative"/legal representative, "Port Captain"/public relations officer, and "Information Officer"/ intelligence officer.

6. In the fall of 1975 after the ship operation moved ashore in Florida I was posted in the Guardian's Office (GO) Intelligence Bureau connected to Hubbard's Personal Office. From December 1975 through June 1976 I held the post of Deputy LRH External Communications Aide handling Hubbard's written and telex traffic to and from Scientology organizations. From July 1976 to December 1977 I was assigned, on Hubbard's order, to the Clearwater, Florida unit of the "Rehabilitation Project Force" (RPF), the SO prison system. In 1978 I worked in Hubbard's cinematography crew in La Quinta, California making movies under his direction until the fall of that year when he again assigned me to the RPF, this time for eight months first in La Quinta, then at a newly purchased base in Gilman Hotsprings near Hemet, California. From the time I got out of the RPF in the spring of 1979 and until the beginning of 1980 I worked in Hubbard's "Household Unit" (HU) at Gilman, the SO unit which took care of Hubbard's house, personal effects, transport, meals and so forth, as the "Purchaser," "Renovations In-Charge" and "Deputy Commanding Officer HU."

7. Throughout 1980 and until I left the organization in December 1981 I held the organization posts in Hubbard's "Personal Public Relations Bureau" of "LRH Archivist" and "LRH

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Personal Researcher." I assembled in Los Angeles an archive of Hubbard's writings and other materials relating to his history to be used as, inter alia, the basis for a biography to be written about the man. I also worked in Los Angeles for the first few months of 1980 on Mission Corporate Category Sortout (MCCS), which had the purpose of restructuring the Scientology enterprise so that Hubbard could continue to control it without being liable for its actions. Beginning in the fall of 1980 and continuing until my departure, I provided the biographical writings and other materials, as I collected and organized them, to Omar Garrison, who had contracted with the organization to write the Hubbard biography. I interviewed many people who had known Mr. Hubbard at periods throughout his life, including almost all of his known living relatives. I traveled several thousand miles collecting biographical information and conducting a genealogy search, and arranged the purchase of a number of collections of Hubbard-related documents and other materials from individual collectors.

8. Through my research and study of documentary evidence, most of it from Mr. Hubbard's personal archive, I learned that he had lied about his past, credentials, accomplishments, relationships and intentions. I disproved many of the claims made by Hubbard in his biographies printed in Scientology publications and used in promotion of the man and his philosophy and psychotherapy, and I attempted to get the organization executives responsible for these publications to correct the

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disproved claims. As a result I was ordered to be security checked, an interrogation employing an electronic meter as a lie detector, a procedure I had undergone many times in the Sea Org. I had by this time also disproved the significant representations Hubbard had made about himself or his "technology" which had drawn me into and kept me in the organization for over twelve years; e.g., that he was an engineer and an atomic physicist, that he had been crippled and blinded in combat in WW II and had cured himself with his mental science discoveries, that it was a matter of medical record that he had twice been pronounced dead, that his psychotherapy had been subjected to rigorous scientific testing, that it cured all psychosomatic ills and raised IQs a point per hour of therapy (I had by this time had well over a thousand hours), that he had been remunerated for his labors less than staff members were paid (in my case between $4.30 and $17.20 per week throughout my SO years), and that he and his organization were ethical and well-intentioned. When it became clear to me that I was not going to be able to get the organization or Hubbard to admit to the lies and take a more honest path I left, along with my then wife Jocelyn.

9. Following my departure the organization published a "Declaration" dated February 18, 1982 labelling me a "Suppressive Person (SP)." The terms "SP" or "suppressive person" are painful hate words, which have the effect of instilling terror in the people so labelled. An SP is described in Scientology's literature as completely psychotic and destructive, one of the

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two and a half percent truly evil people on the planet. SPs are viewed as enemies of Scientology and mankind and are targets for the organization's philosophy and practice of opportunistic hatred Hubbard called the "Fair Game Policy," which states specifically that enemies may be lied to, cheated, sued and destroyed without discipline of the Scientologist committing such acts. My SP Declare also accused me of "spreading destructive rumors about senior Scientologists." I knew in early 1982 that I was the target of Guardian's Office intelligence operations because certain friends were contacted and interrogated about me by known GO intelligence personnel, and I had detected organization personnel spying on my wife and me. The organization also appropriated a set of photographs I had entrusted with an associate, Virgil Wilhite, and when I demanded their return one of Hubbard's lieutenants told me to get a lawyer.

10. A few days later I met with attorney Michael Flynn who agreed to defend me against the organization, which on April 22, 1982 published a second SP declare accusing me of eighteen "crimes, high crimes and suppressive acts," including, inter alia, promulgating false information about Hubbard and the organization. In the spring and summer of 1982 I obtained from Omar Garrison, with his permission, some of the documents I had delivered to him while in the organization which I considered I would need to defend myself against the organization's charges in the SP declares and whatever actions they would bring against me

in the non-Scientology courts. I sent these to Mr. Flynn and to Contos and Bunch, a California law firm which by then had agreed to represent me in Scientology litigation. The organization filed suit against me in the Los Angeles Superior Court on August 2, 1982 and the Hubbard biography documents I had sent to my lawyers were ordered by the Court to be deposited with the clerk where they stayed until December, 1986.

11. In August and September 1982 the organization employed a number of private investigators to surveil and harass my wife and me. During that period one of these investigators assaulted me bodily, and another struck my body with a car, and attempted to involve me a freeway accident by getting in front of my car and slamming on his brakes and pulling alongside my car and swerving into my lane. The organization also attempted to get the Los Angeles Police Department to bring criminal charges against me in connection with the Hubbard documents which had become the subject of the litigation in the Superior Court.

12. I filed a cross-complaint in 1982 against various Scientology corporations for fraud and the intentional infliction of emotional distress. The cross-complaint was bifurcated from the underlying document case and never tried because it settled in December 1986. The document case was tried without a jury by Judge Paul G. Breckenridge, Jr. who rendered a decision on June 20, 1984. Judge Breckenridge's decision is appended hereto as Exhibit A. The opinion of the California Court of Appeal, Second Appellate District, Division Three issued July 29, 1991 affirming

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the Breckenridge decision is appended hereto as Exhibit B. Between that time and the settlement the organization continued its "fair game" campaign against me which included at least these acts: a) attempted entrapment; b) illegal videotaping; c) filing false criminal charges against me with the Los Angeles District Attorney; d) filing false criminal charges against me with the Boston office of the FBI; e) filing false declarations to bring contempt of court proceedings against me on three occasions; f) obtaining from English private investigators, who had harassed me in London in 1984, perjured affidavits accusing me falsely of passing documents to a bearded stranger in the Olde Cock Tavern on Fleet Street; disseminating internationally Scientology publications falsely accusing me of crimes, including crimes against humanity; g) culling and disseminating information from my supposedly confidential auditing (psychotherapy) file.

13. Following the December 1986 settlement the organization continued its fair game campaign against me in violation of the spirit and letter of the settlement agreement. The organization's violations include at least: a) use of my name and a false and unfavorable description of my organizational experiences in 1987 in a "dead agent" pack relating to writer and anti-Scientology litigant Bent Corydon; b) filing several affidavits in the fall of 1987 in the case of Church of Scientology of California v. Russell Miller and Penguin Books Limited, case no. 6140 in the High Court of Justice in London England, falsely accusing me of violations of court orders in the

Armstrong case, and falsely labeling me "an admitted agent provocateur of the U.S. Federal Government;" c) delivering a copy of an edited version of the 1984 illegal videotape of me to the London Sunday Times; d) threatening me with lawsuits on six occasions if I did not abet the organization's obstruction of justice; e) threatening to release a description I'd written of a dream I'd had, and which the organization had stolen from a friend of mine, if I did not assist the organization in preventing Bent Corydon from gaining access to the Armstrong court file; f) using my name and a false rendition of the organization's 1984 videotape operation where organization intelligence operatives attempted to entrap me into the commission of a crime in the case of Church of Scientology International v. 17 Agents, case no. 91-4301 SVW filed August 12, 1991 in US District Court, Central District of California; g) using the same false rendition of the 1984 "Armstrong Operation," perjurious declarations by organization lawyers and a general attack on my character and truthfulness in various pleadings filed in August and September, 1991 in the case of Aznaran v. Church of Scientology of California, et al, No. CV 88-1786 JMI in US District Court, Central District of California; h) suing me in 1992 and twice more in 1993 for alleged violations of the 1986 settlement agreement based on the false statements of the organization's lawyers and its leaders; i) two times in 1993 attempting to have me jailed for contempt of court based on the false sworn statements of its lawyers; j) distributing copies internationally of the 1985 dream organization lawyers had threatened to release as stated in e) above (I wrote this recitation of a dream, which was sexual in content, in a graphic, vulgar style, and the way the organization has perverted its significance has made its distribution embarrassing and distressing to me. The dream was specifically sealed in the Los Angeles Superior Court and the organization has violated that sealing order in order to use this document to attack me); k) using its head private investigator to spread the lie that I have AIDS.

14. I have testified approximately 55 days in trial or depositions in more than 15 Scientology-related cases. I am an expert in the fraudulent nature of Scientology and its use of "fair game," and I have testified as an expert in these areas. I am also knowledgeable regarding the organization's efforts to hide its actual control and to shield those who control it from legal responsibility with "buffer" corporations, secret orders, secret command lines, organization-wide agreement to lie to protect those in actual control, and threat of extreme retribution toward anyone who violates that agreement to lie.

15. In his decision, Judge Breckenridge found:

> "In addition to violating and abusing its own members civil rights, the organization with its "Fair Game" doctrine has harassed and abused those persons not in the Church whom it perceives as enemies. The organization clearly is schizophrenic and paranoid, and

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> this bizarre combination seems to be a reflection of its founder LRH. The evidence portrays a man who has been virtually a pathological liar when it comes to his history, background and achievements. The writings and documents in evidence additionally reflect his egoism, greed, avarice, lust for power and vindictiveness and aggressiveness against persons perceived by him to be disloyal or hostile." (Exhibit A, p. 8, l. 18 - p. 9, l. 4).

I observed the organization's abuse of its members' civil rights throughout the years I was inside. This abuse included false imprisonment; use against people of their statements made in supposedly confidential auditing sessions; use of auditing techniques in a coercive manner, e.g., security checks to find "traitors" or "security risks," or to "turn on rockslams" by which the person would be assigned to the RPF, which is itself an abuse of basic human rights, and is itself a setting in which auditing is coercive, since a person cannot get out of the RPF unless he or she submits to auditing; the practice of disconnection, which breaks apart and alienates families; tricking or forcing members to lie, including perjuring themselves in sworn testimony in legal proceedings; threat of "ethics," "Fair Game," RPF, disconnection and dirty tricks; and denying its members access to the truth about the nature of the organization while subjecting them to an unending barrage of distortions, half-truths and outright lies.

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16. In a case the organization filed against me in 1992 to enforce the December, 1986 settlement agreement, Los Angeles Superior Court Judge Ronald M. Sohigian stated on May, 27, 1992:

> "The information (Gerald Armstrong's experiences inside the Scientology organization) that's being suppressed in this case, however, is information about extremely blame-worthy behavior of [the Scientology organization] which nobody owns; it is information having to do with the behavior of a high degree of offensiveness and behavior which is meritorious in the extreme. It involves abusing people who are weak. It involves taking advantage of people who for one reason or another get themselves enmeshed in this extremist view in a way that makes them unable to resist it apparently. It involves using techniques of coercion."

The pages from the transcript of the hearing before Judge Sohigian in which he made this statement are appended hereto as Exhibit C.

17. I was myself enmeshed in Scientology's extremist view for many years and have known personally hundreds of other people just as enmeshed. I am also known by hundreds of people around the world as someone who brought to light the truth about L. Ron Hubbard's history, through his documents which were used in evidence at my 1984 trial and through my willingness to talk freely about what I had found in my assembly and study of his documents. Many people have thanked me personally for exposing

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the truth as I saw it about L. Ron Hubbard and his organization, and for thus freeing them from the lies which had kept them enmeshed in the organization's extremist view. The exposure of any of the organization's "secrets," including the "upper level materials" serves the same purpose; that is, it frees people from the organization's unhealthy and often dangerous domination. One of Hubbard's and his organization's techniques of domination was to claim possession of secret knowledge, which they also claim is vital to the sanity, health and future of everyone under their control, and for which the organization charges astronomical sums of money to view. Exposure of these "secret" materials reveals them for what they really are: more techniques and untruths to further enmesh the organization's victims. Exposure is in the public interest.

This statement is true to the best of my knowledge and belief.

Sworn at San Anselmo,)
California, USA,)
this 7th day of)
February, 1994)
before me,)

Sandra G. Campodonico

G.

Gerald Armstrong

OFFICIAL SEAL
Sandra G. Campodonico
NOTARY PUBLIC · CALIFORNIA
MARIN COUNTY
My Comm. Expires Oct. 28, 1995

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE CITY AND COUNTY OF LOS ANGELES

---oOo---

CERTIFIED COPY

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation,

Plaintiff,

vs.

No. BC-052395

GERALD ARMSTRONG, THE GERALD ARMSTRONG CORPORATION, a California corporation, DOES 1 through 25, inclusive,

Defendants.

and related cross actions.

DEPOSITION OF GERALD ARMSTRONG

Volume VI-A - Pages 753 - 792

Thursday, August 18, 1994

REPORTED BY: DAVID A. DISBROW, CSR NO. 7768 were three meetings in all?

A. I think that there were just three. And it may be that there is one that was, that isn't coming to mind, but that's only because it's not coming to mind, and that's why I hesitated about four, but I know of them.

Q. The three being the encounter at the courthouse --

A. Right.

Q. Meeting at the dinner in San Anselmo, and the one I haven't asked you about?

A. Right.

Q. Tell me the circumstances of that encounter.

A. That was at the Lewis, D'Amato law firm, and I went to -- I was down in Los Angeles for, I believe, a hearing, and after I was done at the Superior Court, I had some other work there in the courthouse. We were checking my file for some money, but I had some business at the courthouse, and then I walked over to the Lewis, D'Amato firm and met there with Von, Stacey and Hannah. And it may have been that Graham Berry was also there or he was at least in the area.

And we greeted each other, and then

the, at least four of us went to lunch nearby.

Q. And the four includes whom: Yourself --

A. Myself, Von and Stacey and Hannah.

Q. Hannah being Hannah Whitefield?

A. Right. And Graham also may have been there. He may have been there for part of that.

Q. Graham? Graham Berry?

A. Right.

Q. Right. Mr. Berry doesn't represent you, does he?

A. No.

Q. And he's never represented you, has he?

A. No.

Q. On the occasion of a hearing which you referred to was that a hearing in one of your cases?

A. I believe so.

Q. Was that at the time that the Court of Appeal heard argument on your -- was that the conversation of the hearing when the Court of Appeal considered your appeal of Judge Sohetian's opinion in this case?

A. It might have been or it may have

been on the occasion of some other event, but it may have been, at that time.

Q. Can you tell us what month you think this was in, the meeting occurred?

A. It was not that long ago. Probably in the spring of this year to my recollection.

Q. And what was the substance of conversations that occurred while you were with Von and Stacey Young on the occasion of the meeting at the Lewis, D'Amato firm?

A. My recollection is that it principally concerned the Fishman case, and that around that time Scientology had either dismissed the case or found something to dismiss the case or it was in that stage toward the end of the litigation. And the communications -- the only ones which stand out were on that subject.

Q. And what stands out? Tell me what stands out.

A. That there was a dismissal in progress, that had been filed, it was waiting for a hearing. It may have even been that they were waiting for a ruling on fees and costs. I'm not sure of the consequence. I heard of these events as they transpired, and my recollection was that we communicated about that during the brief time I was there for lunch.

Q. What did you say during these discussions?

A. I don't know. Nothing specific comes to mind.

Q. You can't recall anything that you said during these discussions?

A. Like I say, this was, as far as I can recall, what the discussions were about. There may have been other details that flowed across the lunch table, you know, how you doing in life, what's new, that sort of thing.

Q. Did you offer to furnish a declaration to either the Lewis, D'Amato firm or any client it was representing in the litigation?

A. At some point, I did -- I can't tell you if it was before or after that. I think they already had a copy of my declaration regarding, you know response to Davis Miscavige's declaration, and that was acknowledged by somebody.

I remember Hannah mentioning that she had read it, so that was -- but I don't recall, at this point, in the declaration which I provided essentially, to oppose the sealing of the Court file, and as it applied to my matters, and my declaration, I think that that was around that time, but it may have been later than that conversation when I saw them for lunch. I'm not sure of the exact time, but there were two declarations which I did provide in that litigation.

Q. And who did you provide them to directly?

A. I believe in both cases that I sent them to Graham Berry.

Q. And in the mail?

A. I believe so.

Q. Okay. You also were designated as a witness on at least one witness list in the Fishman litigation, were you not?

A. I have seen that.

Q. All right. When did you first see that?

A. The first time I think I saw that was in something filed, perhaps a supplemental adjudication motion in "Armstrong IV."

Q. You mean recently?

A. Yeah.

Q. That's the first time you became aware?

A. I think that's the first time I saw it.

Q. Okay. Somebody had previously discussed your being designated as a witness in the Fishman case?

A. Well, there are a couple of instances of that.

Q. Right.

A. There was a communication, and I think that Graham Berry spoke directly to me on that matter, and it also may have involved Mr. Greene. And then -- so some months, if not like a long period of time before then, but there was a communication with Mr. Berry about something like that.

Q. And Mr. Berry desired you to be a witness in the Fishman case, did he not?

A. I believe so.

Q. And in fact, he discussed that with your directly, did he not?

A. Like I say, I have a recollection of something about that like, you know, some period of time before then. And it may have been -- I think it was the time when Mr. Berry called for Mr. Greene and me, but in any case this got mentioned in the communications which were going around, at that time.

Q. And you agreed to be a witness, did you not?

A. I never disagreed.

Q. And do you recall what areas of perspective testimony it was desired that you provide?

A. I don't believe that -- you know, I have my own areas of what I consider to be expertise, and I don't think beyond, very generally, if at all, that is, if it was discussed at all, whether the specifics of what I would testify to or what I would testify to go into, but I think that Mr. Berry's understanding of my history, and my present involvement in litigation, and what I've said about myself, and my areas of expertise are pretty well known and accepted.

Q. And those areas of expertise that are "pretty well known and accepted," include your experiences in the Church of Scientology, do they not, including, but not limited to your position as an archivist?

A. That is foundational to what I consider the areas.

Q. All right, but that's part of it; is it not?

A. Yeah, that's the foundation of it.

Q. I have one more question. One or two more questions for today because I do what this document search to be conducted.

Mr. Armstrong, after that meeting at Lewis, D'Amato, and the lunch, did you have any subsequent conversations with Mr. Von Young between that time and today?

A. Yes.

Q. Where were they?

A. When you say, "substantive --"

Q. Go ahead.

MR. GREENE: Subsequent.

MR. HERTZBERG: Q. Subsequent.

A. Subsequent? Okay. Then there are subsequent conversations, and we have communicated sporadically, but a few times over the last few months, and those were principally a couple of times, perhaps a month or a month and a half ago, and these were -- these involved meetings that they were having with Mike Rinnard,

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

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CHURCH OF SCIENTOLOGY INTERNATIONAL, a California Not-For-Profit Religious Corporation,

Plaintiff,

vs.

GERALD ARMSTRONG, THE GERALD ARMSTRONG CORPORATION, a California Corporation, Does 1-25, inclusive,

Defendants.

Case No. BC-052395

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By: Rosalie E. Stefani
CSR No. 3215

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY)
INTERNATIONAL, a California)
Not-for-Profit Religious)
Corporation,)
Plaintiff,)
vs.) Case No. BC-052395
)
GERALD ARMSTRONG; THE GERALD)
ARMSTRONG CORPORATION, a)
California Corporation; Does 1-25)
inclusive,)
Defendants.)

CERTIFIED COPY

DEPOSITION OF GERALD ARMSTRONG

Volume VIII

Pages 946 - 1063

THURSDAY, OCTOBER 20, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

heard it was filed, but I do not know if it was.

Q. Did you assemble the exhibits to Exhibit 64?

A. Yes.

Q. Did you prepare the 10-page declaration, dated April 21, 1994, which precedes the exhibits?

A. Yes.

Q. Was the purpose of your preparation of Exhibit 64 to aid Mr. Fishman in his litigation with various Church of Scientology entities?

A. More specifically, it was aimed at opposing Scientologist's efforts to seal the record in the Fishman case. So if that coincided with Mr. Fishman's interest, then yes.

Q. Were you paid by either Mr. Berry, Mr. Fishman or Mr. Berry's firm to furnish this declaration, which is marked as Exhibit 64?

A. No.

Q. Do you recall whether you volunteered to furnish Exhibit 64 to Mr. Berry?

A. I believe I did.

Q. Were you opposed to the sealing of any documents in the Fishman file?

A. I was opposed to what I understood that Scientology was attempting to have sealed at that time, that was essentially the whole file or at least affidavits that we be given an unredacted copy of this letter.

MR. GREENE: You can ask.

MR. HERTZBERG: I've just asked. What is your response?

MR. GREENE: My response is that I'll consider it, but I will make no commitment at this time.

MR. HERTZBERG: My co-counsel will communicate with you after the deposition session to determine what your final decision is on that matter.

MR. GREENE: Good.

MR. HERTZBERG: Because if we do not receive the unredacted version, we will move to compel.

Q. Mr. Armstrong, was there an occasion which led to writing the January 27, 1994 letter to Mr. Berry, which is Exhibit 58?

A. Yes.

Q. What was that occasion?

A. Mr. Berry requested -- he was looking for individuals who may be able to testify as to the matters discussed here.

Q. Was Mr. Berry looking for witnesses in connection with the Fishman case?

A. I believe so, yes.

Q. Was it your understanding that he was looking for witnesses for use in other litigation against various

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Los Angeles, CA 90028.

On February 23, 1995, I served the foregoing document described as EVIDENCE IN SUPPORT OF PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION OF PLAINTIFF'S COMPLAINT, VOLUME I on interested parties in this action,

[ ] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] by placing [ ] the original [X] true copies thereof in sealed envelopes addressed as follows:

FORD GREENE
HUB Law Offices
711 Sir Francis Drake Blvd.
San Anselmo, CA 94960-1949

MICHAEL WALTON
700 Larkspur Landing Circle
Suite 120
Larkspur, CA 94939

[x] BY FAX AND MAIL

[ ] *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

[x] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal

cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on February 23, 1995 at Los Angeles, California.

[ ] **(BY PERSONAL SERVICE) I delivered such envelopes by hand to the offices of the addressees.

Executed on ___________ at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Laurie Bartilson
Print or Type Name

Signature

* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

** (For personal service signature must be that of messenger)

4636

~~COPY~~

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CHURCH OF SCIENTOLOGY
INTERNATIONAL

FILED
FEB 27 1995
HOWARD HANSON
MARIN COUNTY CLERK
by P. Fan, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF MARIN

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation, Plaintiff, vs. GERALD ARMSTRONG; DOES 1 through 25, inclusive, Defendants.	CASE NO. BC 157680 EVIDENCE IN SUPPORT OF PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION OF PLAINTIFF'S COMPLAINT DATE: March 31, 1995 TIME: 9:00 a.m. DEPT: 1 DISCOVERY CUT-OFF: March 16, 1995 MTN CUT-OFF: April 18, 1995 TRIAL DATE: May 18, 1995

VOLUME 2

GRAHAM E. BERRY, Bar No. 128503
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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CHURCH OF SCIENTOLOGY INTERNATIONAL, Plaintiff, vs. STEVEN FISHMAN and UWE GEERTZ, Defendants.	No. CV 91-6426 HLH (Tx) DECLARATION OF GERALD ARMSTRONG RE: MOTION FOR COSTS DATE: APRIL 4, 1994 TIME: 10:00 A.M. COURTROOM: 7

PLAINTIFF'S EXHIBIT 22
8-19-94

DECLARATION OF GERALD ARMSTRONG

I, Gerald Armstrong, declare:

1. I am over 18 years of age and a resident of the State of California. I have personal knowledge of the matters set forth herein and if called upon to testify thereto I competently would.

2. I am making this declaration in response to certain statements, principally those concerning me, made by David Miscavige in his declaration executed February 8, 1994, and filed in the case of Scientology v. Fishman & Geertz, United States District Court for the Central District of California, Case No. CV 91-6425 HLH(Tx).

3. Mr. Miscavige states that I am a proven liar because he has found a discrepancy between a finding of Judge Paul G. Breckenridge Jr. in his decision rendered June 20, 1984 in the case of Scientology v. Armstrong, Los Angeles Superior Court No. C 420153 (Armstrong I), and a statement allegedly made by me and secretly recorded by Mr. Miscavige's covert intelligence operatives in the fall of 1984. (Miscavige dec. p. 31, l. 22 - p. 32, l. 5). Mr. Miscavige is employing one of Scientology's confusion techniques the organization's founder L. Ron Hubbard dubbed "dropped out time." Mr. Miscavige's incidents, which he has linked for purposes of confusion, are years apart.

4. In this civilization fear is generally accepted to be an emotion or state of mind which can either be present or not present, or perhaps present in degrees. It is fairly well accepted that a not abnormal person can be afraid one

day, when, for example there are a couple of unidentified men at four a.m. outside the person's bedroom window where no men ought to be at four a.m., and not afraid on another day, when the person is, for example, watching the Dodgers beat the Giants. That the person claimed to be afraid at four a.m Sunday and not afraid at the Wednesday ballgame does not make that person a proven liar. In my case there were more than two years between one time when I was afraid and the next occasion when Mr. Miscavige says I said I was not afraid.

5. In his decision, a true and correct copy of which is appended hereto as Exhibit A, Judge Breckenridge states:

> "From his extensive knowledge of the covert and intelligence operations carried out by the Church of Scientology of California against its enemies (suppressive persons), Defendant Armstrong became terrified and feared that his life and the life of his wife were in danger, and he also feared he would be the target of costly and harassing lawsuits."
>
> ....
>
> "It was thereafter, in the summer of 1982, that Defendant Armstrong asked Mr. Garrison for copies of documents to use in his defense and sent the documents to his attorneys, Michael Flynn and Contos

> & Bunch.
>
> After the within suit was filed on August 2, 1982, Defendant Armstrong was the subject of harassment, including being followed and surveilled by individuals who admitted employment by [Scientology]; being assaulted by one of these individuals; being struck bodily by a car driven by one of these individuals; having two attempts made by said individuals apparently to involve Defendant Armstrong in a freeway automobile accident; having said individuals come onto Defendant Armstrong's property, spy in his windows, create disturbances, and upset his neighbors." (Ex. A. Appendix p. 14, l. 6 - p. 15, l. 3)

6. It is clear that Judge Breckenridge in his statements about my fear of organization legal and extra-legal attacks is referring to my state of mind in the period between the organization's publication of its "Suppressive Person Declares" on me in early 1982 and its filing of Armstrong I in August, 1982. This fear was not irrational or unfounded as the organization itself proved when it harassed my wife and me as Judge Breckenridge found, and did file harassing and costly lawsuits against me. All of these harassing and criminal acts were carried out during Mr.

Miscavige's control of such activities, which he claims to have wrested from the Guardian's Office, which, itself, just as he himself, according to Mr. Miscavige "used unscrupulous means to deal with people they perceived as enemies of the Church." (Miscavige dec. p. 17, l. 17).

7. Mr. Miscavige's new Guardian's Office, the Office of Special Affairs, did not end its criminal and abusive tactics with the incidents listed by Judge Breckenridge, but has added ten more years of "fair game" attacks since the 1984 decision, including, but not limited to:

a. attempted framing by entrapment and illegal videotaping;

b. filing false criminal charges with the Los Angeles District Attorney;

c. filing false criminal charges with the Boston office of the FBI;

d. filing false declarations;

e. bringing contempt of court proceedings on three occasions based on false charges;

f. making false accusations in internationally published media of crimes, including crimes against humanity;

g. culling and disseminating information from my supposedly confidential auditing (psychotherapy) files;

h. relentlessly attacking my attorney, Michael Flynn of Boston, Massachusetts with some 15 lawsuits, baseless bar complaints, theft of office documents, infiltration of his law practice, framing him with the forgery of a $2,000,000 check, an international black PR campaign, threats to him and his family, and, according to him, attempted assassination; all for the purpose of driving him out of the organization-related litigation in order to leave his clients undefended against the organization's attacks;

i. fraudulently promising to discontinue "fair game" against me if I settled my cross-complaint against the organization, knowing full well that it would continue to attack me in the courts and the marketplace of ideas once I signed its settlement contract, which I did in December, 1986, and once it had contracted with Mr. Flynn to not defend me in future litigation;

j. following the settlement, publishing a false and unfavorable description of me in a "dead agent" pack relating to writer and anti-Scientology litigant Bent Corydon;

k. filing several affidavits in the case of Church of Scientology of California v. Russell Miller and Penguin Books Limited, case no. 6140 in the High Court of Justice in London England which falsely accused me of violations of court orders, and falsely labeled me "an admitted agent provocateur of the U.S. Federal Government";

l. delivering copies of an edited version of an illegally obtained 1984 videotape of me to the international media;

m. threatening me with lawsuits on six occasions if I did not abet its obstruction of justice in the Miller case, in the case of Bent Corydon v. Scientology, Los Angeles Superior Court No. C 694401, wherein Corydon had subpoenaed me as a witness, and in the case of Scientology v. Yanny, Los Angeles Superior Court No. C 690211;

n. threatening to release my confidences, which it had stolen from a friend, and which had been specifically sealed by Judge Breckenridge in Armstrong I if I did not assist it in preventing Corydon from gaining access to the Armstrong I court file;

o. on February 4, 1992, filing a lawsuit, Scientology v. Gerald Armstrong, Marin Superior Court Case No. 152229 ("Armstrong II"), transferred to Los Angeles Superior Court and given Case No. BC 052395, alleging contract breaches, which it itself precipitated, for the purposes of, inter alia, obstructing justice, suppressing evidence, assassinating my reputation, retaliation and intimidation;

p. on July 8, 1993, filing a lawsuit Scientology v. Gerald Armstrong & The Gerald Armstrong Corporation, Los Angeles Superior Court Case No. BC 084642 ("Armstrong III") for the same purposes as in o. above;

q. on July 23, 1993, filing a lawsuit, Scientology v. Gerald Armstrong, Michael Walton & The Gerald Armstrong Corporation, Marin Superior Court Case No. 157680 ("Armstrong IV") for the same purposes as in o. above;

r. twice more bringing contempt of court charges against me based on false sworn statements.

8. The videotapes from which Mr. Miscavige claims to quote were made in November, 1984. In order to provide a context for how I came to be involved with his operatives who set up the videotaping and to clarify the words of both the operatives and myself which were recorded, and a few of which Mr. Miscavige claims to quote, I am appending hereto as Exhibit B a copy of a declaration/screenplay outline I have just completed and called "Find a Better Basket."

9. When I state on the 1984 videotape that I am not afraid, I am answering one of the operatives' questions or challenges which he has been drilled to state. In responding the way I did I am honestly communicating one of the changes I had perceived in my psyche over the almost three years since I left the organization. Because the organization teaches its members to put their faith in what cannot protect them; e.g., data, wins, attacks, hatred, disconnection, leverage, lawsuits, private investigators, fair game, L. Ron Hubbard or David Miscavige; it leaves them with a seemingly irreducible fear. Those who put their faith in God, Wherein lies perfect protection, give up their

fear. There will still be times when fear will arise, but the reestablishing of faith in God will every time cause that fear to disappear into the nothing it is. I was beginning to learn that wisdom by the time of the 1984 videotaping. In fact it was that learning which seemed to move me to associate with the operatives who only sought my destruction. I have stated many times that I have an undeniable concern that before it comes to its senses or saner minds prevail in the organization its power structure headed by Mr. Miscavige will have me assassinated or do something else diabolical and dangerous, and this has produced in me an awareness of threat and is a fact of my present psychological condition. The power structure is quite capable of violent and criminal acts, or of purchasing such acts. The power structure is armed, and its head PI Eugene M. Ingram has threatened to kill me. The power structure makes a religion of terrifying countless vulnerable and innocent people who do not have my certainty and do not have my skills to fight the organization's tyranny. For these reasons I oppose its tyranny and its suppressive doctrines and practices. Mr. Miscavige should not be pointing out imagined inconsistencies in whether one of his victims in one year or another was afraid or not of his vicious organization, but should be eliminating all of its viciousness so that no one ever again is made afraid by it.

10. Mr. Miscavige calls the videotaping of me "a police-sanctioned investigation." (Miscavige Dec. p. 31, l.

28) This is a lie Mr. Miscavige must tell as if his life depends on it. I provided the truth in "Find a Better Basket."

> "Organization lawyers, Earle Cooley and John Peterson, claimed (during the 1985 trial of Julie Christofferson v. Scientology, Circuit Court of the State of Oregon, Multnomah County, No. A7704-05184, that) the Armstrong operation had been authorized by the Los Angeles Police Department, and they produced a letter dated November 7, 1984, ... signed by an officer Phillip Rodriguez, directing organization private investigator Eugene M. Ingram to electronically eavesdrop on me and Michael Flynn.
>
> On April 23, 1985, Los Angeles Police Chief Daryl F. Gates issued a public statement, ... denying that the Rodriguez letter was a correspondence from the Los Angeles Police Department, denying that the Los Angeles Police Department had cooperated with Ingram, and stating emphatically that all purported authorizations directed to Ingram by any member of the Los Angeles Police Department are invalid and unauthorized. On information and belief, the officer, Phillip Rodriguez, who signed Ingram's letter was paid $10,000.00 for his signature. Also on information and belief, following a Los Angeles Police Department Internal Affairs

> Division investigation and a Police Department Board of Rights, Officer Rodriguez was suspended from the Los Angeles Police Force." ("Better Basket," p. 13, paras. 22 and 23)

A copy of Officer Rodriguez's "authorization" is appended hereto as Exhibit C, and a copy of Chief Gates' public announcement is appended hereto as Exhibit D.

11. Mr. Miscavige claims that his illegal videotapes of me capture me acknowledging my real motives, to overthrow his organization's leadership and gain control of it. (Miscavige Dec. p. 32, 1.1 - 1.3) This is absurd. His own people, operated by him, came to me with their idea, approved by him, as outlined in "Better Basket," of wresting control of the organization from what they called the "criminals" running it. I have never had a desire control the Scientology organization or Scientology, although I recognize that its leaders should be restrained from further abuse of anyone. My real motive in my day-to-day relationship with its leaders is to get it out of the litigation business and get it to cease its assault on the justice system, its abuse of innocence and its threatening of me, my friends and people of good will everywhere. I know David Miscavige personally. I know him to be a bully, a liar and a perfect replacement for L. Ron Hubbard at the controls of his empire. I also know that God is in him as He is in everyone else and that bullying and lying are just mad and useless efforts to fight that fact.

12. Mr. Miscavige states that I advise one of his

covert operatives to accuse the organization of various criminal acts and when I am told that no evidence exists to support those charges I respond to "just allege it." (Miscavige Dec. p. 32, l. 5 - l. 8) "Better Basket" describes something of the context in which I make a statement differentiating between "allegations" and "proof." The operative I'm talking to is Mike Rinder. Before this meeting I had already, on request of the "Loyalists," provided them with a "bare bones" draft of a complaint. Complaints contain allegations. Complaints do not contain proof. Rinder, who had been represented to me as the Loyalists' "best legal mind" couldn't seem to get the distinction between allegations and proof in the complaint, and I was frustrated in our conversation because he seemed so dense. Now, of course, his denseness is fully understandable. He had to appear stupid and had to deny that there was any "proof" of the sort of allegations that would be made in a complaint because he knew he was being recorded on a videotape which was going to be used to attack, and if possible destroy me. Even what the organization has done to me alone (see, e.g., crimes listed by Judge Breckenridge and the list in paragraph 7 above) is enough for actual true-hearted reformers to bring a lawsuit to take control of the organization from the criminals now in charge.

13. During Mr. Miscavige's videotape operation a briefcase containing a book of my original drawings and writings and other documents was stolen from the trunk of my

car. My attorney made a demand on the organization for the return of these materials. The organization denied having them. I have recently been advised by Vicki Aznaran, a former organization executive who carried out operations against individuals on Mr. Miscavige's orders, that he told her at the time of their theft that he had them and he described them to her. Knowing that this declaration will be seen by Mr. Miscavige, I herewith renew my demand to him for the return of my materials to me.

14. I will also take the opportunity to advise this Court that Mr. Miscavige's organization considers that it has me under a contract whereby it may sue me for filing this declaration, not because it is untrue or libelous, but because that is what the organization insists its contract permits. This contract was obtained by Mr. Miscavige as the result of his organization's years of attack on my attorney Michael Flynn, as stated in paragraph 7 subparagraph h. above. In order to get the organization to cease its fair game against Mr. Flynn I had to sign its contract, which, according to Mr. Miscavige, allows him and his agents to say whatever they want about me in any court proceeding or in the media and I may not respond. If I do respond I become subject to a $50,000.00 liquidated damages provision for every utterance, and the target in another Miscavige-ordered costly and harassing lawsuit. The three lawsuits, Armstrong II, III and IV described in paragraph 7, subparagraphs o, p and q, and the contempt of court proceedings at subparagraph r, are all pursuant to this contract. The contract is

against public policy and illegal. Mr. Miscavige, moreover, entered into a separate illegal contract with Mr. Flynn, which prohibits Mr. Flynn from assisting me in any litigation against the organization. If Mr. Flynn were to assist me he would again be subjected to "fair game." Mr. Miscavige would be wise to rescind all these illegal contracts and discontinue his abuse of the legal process and totally eliminate from his organization the doctrine and practice of fair game, and not merely deny its existence.

15. Mr. Miscavige claims to know a great deal about the IRS dropping me as a witness because of his videotapes. In truth I was not dropped as a witness at all, and my credibility, despite more than twelve years of his organization's attacks on it, is intact. One of the conditions of the 1986 "settlement" with Mr. Miscavige's organization was that in order for the organization to discontinue the "fair game" against Mr. Flynn I had to sign a knowingly false affidavit, essentially stating that Mr. Miscavige's new regime had discontinued the organization's criminal activities. Mr. Flynn claimed that the organization had already tried to murder him and he felt his life and his family were in danger. I fully believed Mr. Flynn because I had myself been the target of fair game for five years by then and had likewise been threatened with murder. I, along with several other of Mr. Flynn's clients, therefore signed these false affidavits which the organization had prepared. The organization then filed the false affidavits in its IRS litigations. Mr. Miscavige

makes much of the IRS granting his organization tax exempt status. Our government's turning its back on this organization's thousands of victims and apparently ignoring its obnoxious, irreligious and criminal core nature, however, does not make this victimization and antisocial nature either right or religious.

16. Mr. Miscavige also claims that Scientology's philosophy and practice of opportunistic hatred, called "fair game" by L. Ron Hubbard, its originator, doesn't exist. It does.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Anselmo, California, on February 22, 1994.

GERALD ARMSTRONG

A

FILED
JUN 22 1984
[illegible] Corcoran,
Bosie M. Hart
BY BOSIE M. HART, DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA, Plaintiff, vs. GERALD ARMSTRONG, Defendant.	No. C 420153 MEMORANDUM OF INTENDED DECISION
MARY SUE HUBBARD, Intervenor.	

In this matter heretofore taken under submission, the Court announces its intended decision as follows:

As to the tort causes of action, plaintiff, and plaintiff in intervention are to take nothing, and defendant is entitled to Judgment and costs.

As to the equitable actions, the court finds that neither plaintiff has clean hands, and that at least as of this time, are not entitled to the immediate return of any document or objects presently retained by the court clerk. All exhibits

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EXHIBIT H 5

received in evidence or marked for identification, unless specifically ordered sealed[1], are matters of public record and shall be available for public inspection or use to the same extent that any such exhibit would be available in any other lawsuit. In other words they are to be treated henceforth no differently than similar exhibits in other cases in Superior Court. Furthermore, the "inventory list and description," of materials turned over by Armstrong's attorneys to the court, shall not be considered or deemed to be confidential, private, or under seal.

All other documents or objects presently in the possession of the clerk (not marked herein as court exhibits) shall be retained by the clerk, subject to the same orders as are presently in effect as to sealing and inspection, until such time as trial court proceedings are concluded as to the severed cross complaint. For the purposes of this Judgment, conclusion will occur when any motion for a new trial has been denied, or the time within such a motion must be brought has expired without such a motion being made. At that time, all documents neither received in evidence, nor marked for identification only, shall be released by the clerk to plaintiff's representatives. Notwithstanding this order, the parties may at any time by written stipulation filed with the clerk obtain release of any or all such unused materials.

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[1] Exhibits in evidence No. 500-40; JJJ; KKK; LLL: MMM; NNN; OOO; PPP; QQQ; RRR; and 500-QQQQ.

Exhibits for identification only No. JJJJ; Series 500-DDDD, EEEE, FFFF, GGGG, HHHH, IIII, NNNN-1, OOOO, ZZZZ, CCCCC, GGGGG, IIIII, KKKKK, LLLLL, OOOOO, PPPPP, QQQQQ, BBBBBB, OOOOOO, BBBBBBB.

Defendant and his counsel are free to speak or communicate upon any of Defendant Armstrong's recollections of his life as a Scientologist or the contents of any exhibit received in evidence or marked for identification and not specifically ordered sealed. As to all documents, and other materials held under seal by the clerk, counsel and the defendant shall remain subject to the same injunctions as presently exist, at least until the conclusion of the proceedings on the cross complaint. However, in any other legal proceedings in which defense counsel, or any of them, is of record, such counsel shall have the right to discuss exhibits under seal, or their contents, if such is reasonably necessary and incidental to the proper representation of his or her client.

Further, if any court of competent jurisdiction orders defendant or his attorney to testify concerning the fact of any such exhibit, document, object, or its contents, such testimony shall be given, and no violation of this order will occur. Likewise, defendant and his counsel may discuss the contents of any documents under seal or of any matters as to which this court has found to be privileged as between the parties hereto, with any duly constituted Governmental Law Enforcement Agency or submit any exhibits or declarations thereto concerning such document or materials, without violating any order of this court.

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This court will retain jurisdiction to enforce, modify, alter, or terminate any injunction included within the Judgment.

Counsel for defendant is ordered to prepare, serve, and file a Judgment on the Complaint and Complaint in Intervention, and Statement of Decision if timely and properly requested, consistent with the court's intended decision.

Discussion

The court has found the facts essentially as set forth in defendant's trial brief, which as modified, is attached as an appendix to this memorandum. In addition the court finds that while working for L.R. Hubbard (hereinafter referred to as LRH), the defendant also had an informal employer-employee relationship with plaintiff Church, but had permission and authority from plaintiffs and LRH to provide Omar Garrison with every document or object that was made available to Mr. Garrison, and further, had permission from Omar Garrison to take and deliver to his attorneys the documents and materials which were subsequently delivered to them and thenceforth into the custody of the County Clerk.

Plaintiff Church has made out a prima facie case of conversion (as bailee of the materials), breach of fiduciary duty, and breach of confidence (as the former employer who provided confidential materials to its then employee for certain specific purposes, which the employee later used for other purposes to plaintiff's detriment). Plaintiff Mary Jane Hubbard has likewise made out a prima facie case of conversion and invasic [illegible] privacy (misuse by a p [illegible] n of private matters entrusted to him for certain specific purposes only).

While defendant has asserted various theories of defense, the basic thrust of his testimony is that he did what he did, because he believed that his life, physical and mental well being, as well as that of his wife were threatened because the organization was aware of what he knew about the life of LRH, the secret machinations and financial activities of the Church, and his dedication to the truth. He believed that the only way he could defend himself, physically as well as from harassing lawsuits, was to take from Omar Garrison those materials which would support and corroborate everything that he had been saying within the Church about LRH and the Church, or refute the allegations made against him in the April 22 Suppressive Person Declare. He believed that the only way he could be sure that the documents would remain secure for his future use was to send them to his attorneys, and that to protect himself, he had to go public so as to minimize the risk that LRH, the Church, or any of their agents would do him physical harm.

This conduct if reasonably believed in by defendant and engaged in by him in good faith, finds support as a defense to the plaintiff's charges in the Restatements of Agency, Torts, and case law.

Restatement of Agency, Second, provides:

> "Section 395f: An agent is privileged to reveal information confidentially acquired by him in the course of his agency in the protection of a superior interest of himself or a third person.

"Section 418: An agent is privileged to protect interests of his own which are superior to those of the principal, even though he does so at the expense of the principal's interest or in disobedience to his orders."

Restatement of torts, Second, section 271:

"One is privileged to commit an act which would otherwise be a trespass to or a conversion of a chattel in the possession of another, for the purpose of defending himself or a third person against the other, under the same conditions which would afford a privilege to inflict harmful or offensive contact upon the other for the same purpose."

The Restatement of Torts, Second, section 652a, as well as case law, make it clear that not all invasions of privacy are unlawful or tortious. It is only when the invasion is unreasonable that it becomes actionable. Hence, the trier of fact must engage in a balancing test, weighing the nature and extent of the invasion, as against the purported justification therefore to determine whether in a given case, the particular invasion or intrusion was unreasonable.

In addition the defendant has asserted as a defense the principal involved in the case of Willig v. Gold, 75 Cal.App.2d, 809, 814, which holds that an agent has a right or privilege to disclose his principal's dishonest acts to the party prejudicially affected by them.

Plaintiff Church has asserted and obviously has certain rights arising out of the First Amendment. Thus, the court cannot, and has not, inquired into or attempted to evaluate the

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merits, accuracy, or truthfulness of Scientology or any of its precepts as a religion. First Amendment rights, however, cannot be utilized by the Church or its members, as a sword to preclude the defendant, whom the Church is suing, from defending himself. Therefore, the actual practices of the Church or its members, as it relates to the reasonableness of the defendant's conduct and his state of mind are relevant, admissible, and have been considered by the court.

As indicated by its factual findings, the court finds the testimony of Gerald and Jocelyn Armstrong, Laurel Sullivan, Nancy Dincalcis, Edward Walters, Omar Garrison, Kima Douglas, and Howard Schomer to be credible, extremely persuasive, and the defense of privilege or justification established and corroborated by this evidence. Obviously, there are some discrepancies or variations in recollections, but these are the normal problems which arise from lapse of time, or from different people viewing matters or events from different perspectives. In all critical and important matters, their testimony was precise, accurate, and rang true. The picture painted by these former dedicated Scientologists, all of whom were intimately involved with LRH, or Mary Jane Hubbard, or of the Scientology Organization, is on the one hand pathetic, and on the other, outrageous. Each of these persons literally gave years of his or her respective life in support of a man, LRH, and his ideas. Each has manifested a waste and loss or frustration which is incapable of description. Each has broken with the movement for a variety of reasons, but at the same time, each is, still bound by the knowledge that the Church has

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in its posse. on his or her most inner oughts and confessions, all recorded in "pre-clear (P.C.) folders" or other security files of the organization, and that the Church or its minions is fully capable of intimidation or other physical or psychological abuse if it suits their ends. The record is replete with evidence of such abuse.

In 1970 a police agency of the French Government conducted an investigation into Scientology and concluded, "this sect, under the pretext of 'freeing humans' is nothing in reality but a vast enterprise to extract the maximum amount of money from its adepts by (use of) pseudo-scientific theories, by (use of) 'auditions' and 'stage settings' (lit. to create a theatrical scene') pushed to extremes (a machine to detect lies, its own particular phraseology . .), to estrange adepts from their families and to exercise a kind of blackmail against persons who do not wish to continue with this sect."[2] From the evidence presented to this court in 1984, at the very least, similar conclusions can be drawn. In addition to violating and abusing its own members civil rights, the organization over the years with its "Fair Game" doctrine has harassed and abused those persons not in the Church whom it perceives as enemies. The organization clearly is schizophrenic and paranoid, and this bizarre combination seems to be a reflection of its founder LRH. The evidence portrays a man who has been virtually a pathological liar when it comes to his history,

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2. Exhibit 500-HHHHH.

background, - achievements. The writings and documents in evidence additionally reflect his egoism, greed, avarice, lust for power, and vindictiveness and aggressiveness against persons perceived by him to be disloyal or hostile. At the same time it appears that he is charismatic and highly capable of motivating, organizing, controlling, manipulating, and inspiring his adherents. He has been referred to during the trial as a "genius," a "revered person," a man who was "viewed by his followers in awe." Obviously, he is and has been a very complex person, and that complexity is further reflected in his alter ego, the Church of Scientology. Notwithstanding protestations to the contrary, this court is satisfied that LRH runs the Church in all ways through the Sea Organization, his role of Commodore, and the Commodore's Messengers.[3] He has, of course, chosen to go into "seclusion," but he maintains contact and control through the top messengers. Seclusion has its light and dark side too. It adds to his mystique, and yet shields him from accountability and subpoena or service of summons.

LRH's wife, Mary Sue Hubbard is also a plaintiff herein. On the one hand she certainly appeared to be a pathetic individual. She was forced from her post as Controller, convicted and imprisoned as a felon, and deserted by her husband. On the other hand her credibility leaves much to be desired. She struck the familiar pose of not seeing, hearing, or knowing any evil. Yet she was the head of the Guardian Office for years and among other things, authored the infamous order "GO 121669"[4] which directed culling of supposedly confidential P.C. files/folders for purposes of internal security. In her testimony she expressed the feeling that defendant by delivering the documents, writings, letters to his attorneys, subjected her to mental rape. The evidence is clear and the court finds that defendant and Omar Garrison had permission to utilize these documents for the purpose of Garrison's proposed biography. The only other persons who were shown any of the documents were defendant's attorneys, the Douglasses, the Dincalcis, and apparently some documents specifically affecting LRH's son "Nibs," were shown to "Nibs." The Douglasses and Dincalcises were disaffected Scientologists who had a concern for their own safety and mental security, and were much in the same situation as defendant. They had not been declared as suppressive, but Scientology had their P.C. folders, as well as other confessions, and they were extremely apprehensive. They did not see very many of the documents, and it is not entirely clear which they saw. At any rate Mary Sue Hubbard did not appear to be so much distressed by this fact, as by the fact that Armstrong had given the documents to Michael Flynn, whom the Church considered its foremost

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[3] See Exhibit K: Flag Order 3729 - 15 September 1978 "Commodore's Messengers."

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[4] Exhibit AAA.

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lawyer-enemy.[5] However, just as the plaintiffs have First Amendment rights, the defendant has a Constitutional right to an attorney of his own choosing. In legal contemplation the fact that defendant selected Mr. Flynn rather than some other lawyer cannot by itself be tortious. In determining whether the defendant unreasonably invaded Mrs. Hubbard's privacy, the court is satisfied the invasion was slight, and the reasons and justification for defendant's conduct manifest. Defendant was told by Scientology to get an attorney. He was declared an enemy by the Church. He believed, reasonably, that he was subject to "fair game." The only way he could defend himself, his integrity, and his wife was to take that which was available to him and place it in a safe harbor, to wit, his lawyer's custody. He may have engaged in overkill, in the sense that he took voluminous materials, some of which appear only marginally relevant to his defense. But he was not a lawyer and cannot be held to that precise standard of judgment. Further, at the time that he was accumulating the material, he was terrified and undergoing severe emotional turmoil. The court is satisfied that he did not unreasonably intrude upon Mrs. Hubbard's privacy under the circumstances by in effect simply making his knowledge that of his attorneys. It is, of course, rather ironic that the person who authorized G.O. order 121669 should complain about an invasion of privacy. The practice of culling supposedly confidental "P.C. folders or files" to obtain information for purposes of intimidation and/or harassment is repugnant and outrageous. The Guardian's Office, which plaintiff headed, was no respector of anyone's civil rights, particularly that of privacy. Plaintiff Mary Sue Hubbard's cause of action for conversion must fail for the same reason as plaintiff Church. The documents were all together in Omar Garrison's possession. There was no rational way the defendant could make any distinction.

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[5] "No, I think my emotional distress and upset is the fact that someone took papers and materials without my authorization and then gave them to your Mr. Flynn." Reporter's Transcript, p. 1006.

Insofar as the return of documents is concerned, matters which are still under seal may have evidentiary value in the trial of the cross complaint or in other third party litigation. By the time that proceedings on the cross complaint are concluded, the court's present feeling is that those documents or objects not used by that time should be returned to plaintiff. However, the court will reserve jurisdiction to reconsider that should circumstances warrant.

Dated: June 20, 1984

PAUL G. BRECKENRIDGE, JR.
Judge of the Superior Court

THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS A FULL TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.
SEP 11 1984
ATTEST ________________ 19___
JOHN J. CORCORAN, County Clerk and Clerk of, the Superior Court of California, County of Los Angeles
BY ________________ DEPUTY
S. HURST

Appendix

Defendant Armstrong was involved with Scientology from 1969 through 1981, a period spanning 12 years. During that time he was a dedicated and devoted member who revered the founder, L. Ron Hubbard. There was little that Defendant Armstrong would not do for Hubbard or the Organization. He gave up formal education, one-third of his life, money and anything he could give in order to further the goals of Scientology, goals he believed were based upon the truth, honesty, integrity of Hubbard and the Organization.

From 1971 through 1981, Defendant Armstrong was a member of the Sea Organization, a group of highly trained scientologists who were considered the upper echelon of the Scientology organization. During those years he was placed in various locations, but it was never made clear to him exactly which Scientology corporation he was working for. Defendant Armstrong understood that, ultimately, he was working for L. Ron Hubbard, who controlled all Scientology finances, personnel, and operations while Defendant was in the Sea Organization.

Beginning in 1979 Defendant Armstrong resided at Gilman Hot Springs, California, in Hubbard's "Household Unit." The Household Unit took care of the personal wishes and needs of Hubbard at many levels. Defendant Armstrong acted as the L. Ron Hubbard Renovations In-Charge and was responsible for renovations, decoration, and maintenance of Hubbard's home and office at Gilman Hot Springs.

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In January of 1980 there was an announcement of a possible raid to be made by the FBI or other law enforcement agencies of the property. Everyone on the property was required by Hubbard's representatives, the Commodore's Messengers, to go through all documents located on the property and "vet" or destroy anything which showed that Hubbard controlled Scientology organizations, retained financial control, or was issuing orders to people at Gilman Hot Springs.

A commercial paper shredder was rented and operated day and night for two weeks to destroy hundreds of thousands of pages of documents.

During the period of shredding, Brenda Black, the individual responsible for storage of Hubbard's personal belongings at Gilman Hot Springs, came to Defendant Armstrong with a box of documents and asked whether they were to be shredded. Defendant Armstrong reviewed the documents and found that they consisted of a wide variety of documents including Hubbard's personal papers, diaries, and other writings from a time before he started Dianetics in 1950, together with documents belonging to third persons which had apparently been stolen by Hubbard or his agents. Defendant Armstrong took the documents from Ms. Black and placed them in a safe location on the property. He then searched for and located another twenty or more boxes containing similar materials, which were poorly maintained.

On January 8, 1980, Defendant Armstrong wrote a petition to Hubbard requesting his permission to perform the research for a biography to be done about his life. The petition states

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that Defendant Armstrong had located the subject materials and lists of a number of activities he wished to perform in connection with the biography research.

Hubbard approved the petition, and Defendant Armstrong became the L. Ron Hubbard Personal Relations Officer Researcher (PPRO Res). Defendant claims that this petition and its approval forms the basis for a contract between Defendant and Hubbard. Defendant Armstrong's supervisor was then Laurel Sullivan, L. Ron Hubbard's Personal Public Relations Officer.

During the first part of 1980, Defendant Armstrong moved all of the L. Ron Hubbard Archives materials he had located at Gilman Hot Springs to an office in the Church of Scientology Cedars Complex in Los Angeles. These materials comprised approximately six file cabinets. Defendant Armstrong had located himself in the Cedars Complex, because he was also involved in "Mission Corporate Category Sort-Out," a mission to work out legal strategy. Defendant Armstrong was involved with this mission until June of 1980.

It was also during this early part of 1980 that Hubbard left the location in Gilman Hot Springs, California, and went into hiding. Although Defendant Armstrong was advised by Laurel Sullivan that no one could communicate with Hubbard, Defendant Armstrong knew that the ability for communication existed, because he had forwarded materials to Hubbard at his request in mid-1980.

Because of this purported inability to communicate with Hubbard, Defendant Armstrong's request to purchase biographical materials of Hubbard from people who offered them for sale went to the Commoc. 's Messenger Organization, the personal representatives of Hubbard.

In June of 1980 Defendant Armstrong became involved in the selection of a writer for the Hubbard biography. Defendant Armstrong learned that Hubbard had approved of a biography proposal prepared by Omar Garrison, a writer who was not a member of Scientology. Defendant Armstrong had meetings with Mr. Garrison regarding the writing of the biography and what documentation and assistance would be made available to him. As understood by Mr. Garrison, Defendant Armstrong represented Hubbard in these discussions.

Mr. Garrison was advised that the research material he would have at his disposal were Hubbard's personal archives. Mr. Garrison would only undertake a writing of the biography if the materials provided to him were from Hubbard's personal archives, and only if his manuscript was subject to the approval of Hubbard himself.

In October of 1980 Mr. Garrison came to Los Angeles and was toured through the Hubbard archives materials that Defendant Armstrong had assembled up to that time. This was an important "selling point" in obtaining Mr. Garrison's agreement to write the biography. On October 30, 1980, an agreement was entered into between Ralston-Pilot, Inc. F/S/O Omar V. Garrison, and AOSH DK Publications of Copenhagen, Denmark, for the writing of a biography of Hubbard.

Paragraph 10B of the agreement states that:

> "Publisher shall use its best efforts to provide Author with an office, an officer assistant and/or

research assistant, office supplies and any needed archival and interview materials in connection with the writing of the Work."

The "research assistant" provided to Mr. Garrison was Defendant Armstrong.

During 1980 Defendant Armstrong exchanged correspondence with Intervenor regarding the biography project. Following his approval by Hubbard as biography researcher, Defendant Armstrong wrote to Intervenor on February 5, 1980, advising her of the scope of the project. In the letter Defendant stated that he had found documents which included Hubbard's diary from his Orient trip, poems, essays from his youth, and several personal letters, as well as other things.

By letter of February 11, 1980, Intervenor responded to Defendant, acknowledging that he would be carrying out the duties of Biography Researcher.

On October 14, 1980, Defendant Armstrong again wrote to Intervenor, updating her on "Archives materials" and proposing certain guidelines for the handling of those materials.

It was Intervenor who, in early 1981, ordered certain biographical materials from "Controller Archives" to be delivered to Defendant Armstrong. These materials consisted of several letters written by Hubbard in the 1920's and 1930's, Hubbard's Boy Scout books and materials, several old Hubbard family photographs, a diary kept by Hubbard in his youth, and several other items.

Defendant Armstrong received these materials upon the order of Intervenor, following his letter of October 15, 1980, to her in which Defendant stated, at page 7, that there were materials in the "Controller Archives" that would be helpful to him in the biography research.

After these materials were delivered to Defendant Armstrong, Intervenor was removed from her Scientology position of Controller in 1981, presumably because of her conviction for the felony of obstruction of justice in connection with the theft of Scientology documents from various government offices and agencies in Washington, D.C.

During the time Defendant Armstrong worked on the biography project and acted as Hubbard Archivist, there was never any mention that he was not to be dealing with Hubbard's personal documents or that the delivery of those documents to Mr. Garrison was not authorized.

For the first year or more of the Hubbard biography and archive project, funding came from Hubbard's personal staff unit at Gilman Hot Springs, California. In early 1981, however, Defendant Armstrong's supervisor, Laurel Sullivan, ordered him to request that funding come from what was known as SEA Org Reserves. Approval for this change in funding came from the SEA Org Reserves Chief and Watch Dog Committee, the top Commodores Messenger Organization unit, who were Hubbard's personal representatives.

From November of 1980 through 1981, Defendant Armstrong worked closely with Mr. Garrison, assembling Hubbard's archives into logical categories, copying them and arranging the copies of the Archives materials into bound volumes. Defendant Armstrong made two copies of almost all documents copied for

Mr. Garrison - one for Mr. Garrison and the other to remain in Hubbard Archives for reference or recopying. Defendant Armstrong created approximately 400 binders of documents. The vast majority of the documents for Mr. Garrison came from Hubbard's personal Archives, of which Defendant Armstrong was in charge. Materials which came from other Archives, such as the Controller Archives, were provided to Defendant Armstrong by Scientology staff members who had these documents in their care.

It was not until late 1981 that Plaintiff was to provide a person to assist on the biography project by providing Mr. Garrison with 'Guardian Office' materials, otherwise described as technical materials relating to the operation of Scientology. The individual appointed for this task was Vaughn Young. Controller Archives and Guardian Office Archives had no connection to the Hubbard Archives, which Defendant Armstrong created and maintained as Hubbard's personal materials.

In addition to the assemblage of Hubbard's Archives, Defendant Armstrong worked continually on researching and assembling materials concerning Hubbard by interviewing dozens of individuals, including Hubbard's living aunt, uncle, and four cousins. Defendant Armstrong did a geneology study of Hubbard's family and collected, assembled, and read hundreds of thousands of pages of documentation in Hubbard's Archives.

During 1980 Defendant Armstrong remained convinced of Hubbard's honesty and integrity and believed that the representations he had made about himself in various publications were truthful. Defendant Armstrong was devoted to

Hubbard and was convinced that any information which he discovered to be unflattering of Hubbard or contradictory to what Hubbard has said about himself, was a lie being spread by Hubbard's enemies. Even when Defendant Armstrong located documents in Hubbard's Archives which indicated that representations made by Hubbard and the Organization were untrue, Defendant Armstrong would find some means to "explain away" the contradictory information.

Slowly, however, throughout 1981, Defendant Armstrong began to see that Hubbard and the Organization had continuously lied about Hubbard's past, his credentials, and his accomplishments. Defendant Armstrong believed, in good faith, that the only means by which Scientology could succeed in what Defendant Armstrong believed was its goal of creating an ethical environment on earth, and the only way Hubbard could be free of his critics, would be for Hubbard and the Organization to discontinue the lies about Hubbard's past, his credentials, and accomplishments. Defendant Armstrong resisted any public relations piece or announcement about Hubbard which the L. Ron Hubbard Public Relations Bureau proposed for publication which was not factual. Defendant Armstrong attempted to change and make accurate the various "about the author" sections in Scientology books, and further, Defendant rewrote or critiqued several of these and other publications for the L. Ron Hubbard Public Relations Bureau and various Scientology Organizations. Defendant Armstrong believed and desired that the Scientology Organization and its leader discontinue the perpetration of the

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massive fraud upon the innocent followers of Scientology, and the public at large.

Because of Defendant Armstrong's actions, in late November of 1981, Defendant was requested to come to Gilman Hot Springs by Commodore Messenger Organization Executive, Cirrus Slevin. Defendant Armstrong was ordered to undergo a "security check," which involved Defendant Armstrong's interrogation while connected to a crude Scientology lie detector machine called an E-meter.

The Organization wished to determine what materials Defendant Armstrong had provided to Omar Garrison. Defendant Armstrong was struck by the realization that the Organization would not work with him to correct the numerous fraudulent representations made to followers of Scientology and the public about L. Ron Hubbard and the Organization itself. Defendant Armstrong, who, for twelve years of his life, had placed his complete and full trust in Mr. and Mrs. Hubbard and the Scientology Organization, saw that his trust had no meaning and that the massive frauds perpetrated about Hubbard's past, credentials, and accomplishments would continue to be spread.

Less than three weeks before Defendant Armstrong left Scientology, he wrote a letter to Cirrus Slevin on November 25, 1981, in which it is clear that his intentions in airing the inaccuracies, falsehoods, and frauds regarding Hubbard were done in good faith. In his letter he stated as follows:

> "If we present inaccuracies, hyperbole or downright lies as fact or truth, it doesn't matter what slant we give them, if

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disproved the man will look, to outsiders at least, like a charlatan. This is what I'm trying to prevent and what I've been working on the past year and a half.

. . .

"and that is why I said to Norman that it is up to us to insure that everything which goes out about LRH is one hundred percent accurate. That is not to say that opinions can't be voiced, they can. And they can contain all the hype you want. But they should not be construed as facts. And anything stated as a fact should be documentable.

"we are in a period when 'investigative reporting' is popular, and when there is relatively easy access to documentation on a person. We can't delude ourselves I believe, if we want to gain public acceptance and cause some betterment in society, that we can get away with statements, the validity of which we don't know.

"The real disservice to LRH, and the ultimate make-wrong is to go on assuming that everything he's ever written or said is one hundred percent accurate and publish it as such without verifying it. I'm talking here about biographical or non-technical writings. This only leads, should any of his statements turn out to be inaccurate, to a make-wrong of him, and consequently his technology.

"That's what I'm trying to remedy and prevent.

. . .

"To say that LRH is not capable of hype, errors or lies is certanly ^sic! not granting him much of a beingness. To continue on with the line that he has never erred nor lied is counterproductive. It is an unreal attitude and too far removed from both the reality and people in general that it would widen public unacceptance.

. . .

". . . That is why I feel the falsities must be corrected, and why we must verify our facts and present them in a favorable light."

The remainder of the letter contains examples of facts about Hubbard which Defendant Armstrong found to be wholly untrue or inaccurate and which were represented as true by the Hubbards and the Scientology Organization.

In December of 1981 Defendant Armstrong made the decision to leave the Church of Scientology. In order to continue in his commitment to Hubbard and Mr. Garrison in the biography project, he copied a large quantity of documents, which Mr. Garrison had requested or which would be useful to him for the biography. Defendant Armstrong delivered all of this material to Mr. Garrison the date he left the SEA Organization and kept nothing in his possession.

Thereafter, Defendant Armstrong maintained friendly relations with Hubbard's representatives by returning to the Archives office and discussing the various categories of materials. In fact on February 24, 1982, Defendant Armstrong wrote to Vaughn Young, regarding certain materials Mr. Young was unable to locate for Omar Garrison.

After this letter was written, Defendant Armstrong went to the Archives office and located certain materials Mr. Garrison had wanted which Hubbard representatives claimed they could not locate.

At the time Defendant Armstrong left the SEA Organization, he was disappointed with Scientology and Hubbard, and also felt deceived by them. However, Defendant Armstrong felt he had no enemies and felt no ill will toward anyone in the Organization or Hubbard, but still believed that a truthful biography should be written.

After leaving the SEA Organization, Defendant ARmstrong continued to assist Mr. Garrison with the Hubbard biography project. In the spring of 1982, Defendant Armstrong at Mr. Garrison's request, transcribed some of his interview tapes, copied some of the documentation he had, and assembled several more binders of copied materials. Defendant Armstrong also set up shelves for Mr. Garrison for all the biography research materials, worked on a cross-reference systems, and continued to do library research for the biography.

On February 18, 1982, the Church of Scientology International issued a "Suppressive Person Declare Gerry Armstrong," which is an official Scientology document issued against individuals who are considered as enemies of the Organization. Said Suppressive Person Declare charged that Defendant Armstrong had taken an unauthorized leave and that he was spreading destructive rumors about Senior Scientologists.

Defendant Armstrong was unaware of said Suppressive Person Declare until April of 1982. At that time a revised Declare was issued on April 22, 1982. Said Declare charged Defendant Armstrong with 18 different "Crimes and High Crimes and Suppressive Acts Against the Church." The charges included theft, juggling accounts, obtaining loans on money under false pretenses, promulgating false information about the Church, its founder, and members, and other untruthful allegations designed to make Defendant Armstrong an appropriate subject of the Scientology "Fair Game Doctrine." Said Doctrine allows any suppressive person to be "tricked, cheated, lied to, sued, or destroyed."

The second declare was issued shortly after Defendant Armstrong attempted to sell photographs of his wedding on board Hubbard's ship (in which Hubbard appears), and photographs belonging to some of his friends, which also included photos of L.R. Hubbard while in seclusion. Although Defendant Armstrong delivered the photographs to a Virgil Wilbite for sale, he never received payment or return of his friend's photographs. When he became aware that the Church had these photographs, he went to the Organization to request their return. A loud and boisterous argument ensued, and he eventually was told to leave the premises and get an attorney.

From his extensive knowledge of the covert and intelligence operations carried out by the Church of Scientology of California against its enemies (suppressive persons), Defendant Armstrong became terrified and feared that his life and the life of his wife were in danger, and he also feared he would be the target of costly and harassing lawsuits. In addition, Mr. Garrison became afraid for the security of the documents and believed that the intelligence network of the Church of Scientology would break and enter his home to retrieve them. Thus, Defendant Armstrong made copies of certain documents for Mr. Garrison and maintained them in a separate location.

It was thereafter, in the summer of 1982, that Defendant Armstrong asked Mr. Garrison for copies of documents to use in his defense and sent the documents to his attorneys, Michael Flynn and Contos & Bunch.

After the within suit was filed on August 2, 1982, Defendant Armstrong was the subject of harassment, including being followed and surveilled by individuals who admitted employment by Plaintiff; being assaulted by one of these individuals; being struck bodily by a car driven by one of these individuals; having two attempts made by said individuals apparently to involve Defendant Armstrong in a freeway

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automobile accident; having said individuals come onto Defendant Armstrong's property, spy in his windows, create disturbances, and upset his neighbors. During trial when it appeared that Howard Schomer (a former Scientologist) might be called as a defense witness, the Church engaged in a somewhat sophisticated effort to suppress his testimony. It is not clear how the Church became aware of defense intentions to call Mr. Schomer as a witness, but it is abundantly clear they sought to entice him back into the fold and prevent his testimony.

B

FIND A BETTER BASKET

A Literary Work Created and Written
by
GERALD ARMSTRONG

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I, Gerald Armstrong, declare:

1. I am making this declaration in response to allegations made by Scientology organization leaders, attorneys and agents in court proceedings and public media around the world concerning a 1984 organization intelligence operation targeting me, which has been called the "Armstrong Operation." I am copyrighting this document prior to its use in court because it will, in addition to putting the organization's allegations into a proper context, form an outline for a screenplay I am writing. It is my story.

2. After I left the organization at the end of 1981, the organization intelligence bureau assigned Dan Sherman, a Los Angeles spy story writer and intel operative, to get close to me and become my friend, which he did. I had been the intelligence officer on board the "Apollo" with the organization's founder and supreme leader L. Ron Hubbard, had studied his intelligence policies and Guardian's Office[1] intelligence materials, had an

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[1] The Guardian's Office ("GO"), headed from 1966 to 1981 by Mary Sue Hubbard, who reported to and was controlled by L. Ron Hubbard, consisted of five bureaus: Intelligence, Public Relations, Legal, Finance and Social Coordination (front groups). The GO was responsible for hiding its money and its actual command lines, defending the organization against attacks and for eliminating all opposition to its progress. Hubbard patterned its intelligence bureau, B-1, and the organization's total espionage mentality on the work of Reinhard Gehlen, Hitler's spy master. On Hubbard's orders, after the conviction of 11 top GO intelligence personnel, including Mary Sue, for criminal activities against the US Government, Scientology's second major arm of power, the Sea Organization, in a 1981 putsch took control of the GO's functions and subsequently renamed the GO arm the Office of Special Affairs, "OSA."

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appreciation for that literary genre, and I was myself a writer, so Sherman and I had a real basis for a real friendship.

3. Sherman told me he was no longer involved in Scientology, wanted nothing to do with it, saw it as a personal waste of time, and also saw that its leaders were ruthless and dangerous, and claimed to be afraid of them finding out that he was friends with me. Sometime in 1982 or 1983 he told me that he was still in communication in a limited way with some of his old friends still in the organization. He described these friends as smart, reasonable and not fanatics. They were still Scientologists and worked on staff, but felt that organization leaders were criminals. Having no allegiance to these leaders, Sherman's friends would occasionally tell him about conditions inside and their desire to end the organization's criminal activities. They said the conditions inside were oppressive and chaotic and they were at risk even talking to him because sec checks[2] were rampant.

4. During the 1984 trial of the organization's case against me, Church of Scientology of California and Mary Sue Hubbard v. Gerald Armstrong, Los Angles Superior Court no. C 420153 ("Armstrong I"), Sherman told me that one of these friends, whom he called "Joey," had told him that there was an

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[2] Sec checks are accusatory interrogations using Hubbard's electropsychometer or E-Meter as a lie detector. Sec checks could be brutal, could go on for many hours or days, could involve several people asking questions, threatening and badgering, and could have disastrous results for the interrogee.

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actual group inside the organization who were dedicated to reforming it because management had become suppressive. They called themselves the "Loyalists," claiming to be "loyal" to the preservation of the ideals of Scientology, "what worked." They also recognized that its leaders were criminal, crazy, dangerous, and not dedicated to those ideals but were acting to destroy them. The "Loyalists" wanted to take control in a well-planned, effective and peaceful action before some tragedy happened. They claimed to know of criminal activities and a key part of their plan was the documenting of these activities.

5. Sherman said they were 35 in number, or at least there were 35 who knew they were "Loyalists," all smart, reasonable and not fanatics. Some of them were his old friends from B-1. Such persons tended to be smart, reasonable and often were not fanatics. The people whom I knew to be, including Hubbard, the organization leaders, prided themselves on their recognition of unreasonableness as a virtue, and maintained an abiding fanaticism to justify their abuses and keep their positions of power. Sherman was smart and gave every appearance of being reasonable and unfanatical. He said the Loyalists knew he was in communication with me and wanted to talk with me but were afraid for their lives. This was not surprising to me because I knew from my own experiences that the organization had a brutal side and its leaders were dangerous, armed and desperate. Thus the first communications with the Loyalists were a few messages relayed by Sherman. They said that I had a proven record against

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the organization, that my integrity had been unshakable and they wanted my help.

6. A few days after the Armstrong I trial ended, Joey, who, I later learned, was actually one David Kluge, made the first direct contact with me, a phone call to my home in Costa Mesa, California. He said the Loyalists knew I wanted my pc folders[3], that my folders were being moved on a certain day and that I could get them if I wanted. I told Kluge that even though the folders were mine the organization would claim, if it was discovered I had them, that I was accepting stolen property, so I had to decline his offer. I was also already booked, on the same day the Loyalists said they would get me my pc folders, to fly to London to testify in a child custody case[4] involving

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[3] Pc folders, also called preclear or auditing files or folders, contain the record of processes run and questions asked by the auditor (psychotherapist), E-Meter reads, and answers given and statements made by the preclear (or patient) during Scientology auditing (or psychotherapy) sessions. It was well known that I had opposed and exposed the organization's misuse of information divulged by the organization's "preclears" (what were essentially psychotherapist-patient confidences) in auditing. I had been attempting to get the organization to deliver to me my pc folders throughout the Armstrong I litigation, and the misuse of auditing information was an issue in the Armstrong I trial. Judge Paul G. Breckenridge, Jr. stated in his decision following the 30-day Armstrong I trial: "[Mary Sue Hubbard] was the head of the Guardian Office for years and among other things, authored the infamous order "GO 121669" which directed culling of supposedly confidential P.C. files/folders for the purposes of internal security." "The practice of culling supposedly confidential "P.C. folders or files" to obtain information for purposes of intimidation and/or harassment is repugnant and outrageous. The Guardian's Office, which plaintiff [Mary Sue Hubbard] headed, was no respector of anyone's civil rights, particularly that of privacy."

[4] This Royal Courts of Justice case, known as Re: B and G

Scientology, and I told Kluge that I couldn't change my plans.

7. When I returned from the UK, where, incidentally, I had been harassed by a pack of English private investigators working for the organization, Kluge reestablished contact, and I communicated with him or Sherman several times over the next few months. I was happy to be in communication with them, because I'm happy to be in communication with anyone, and my relationship with the Loyalists, who were admitted Scientologists, seemed a spark of hope in the seemingly hopeless and threatening Scientology situation.

8. I have believed and stated that when Scientologists have the freedom to communicate to the people their leaders label "enemies," Scientology will cease to have enemies. The organization's leaders prohibit their minions from communicating with me, thus I am their enemy. This prohibition is enforced with severe "ethics" punishment, which could easily include "declaring" the person who dared to communicate with me a "suppressive" person, thus making him the target of the organization's philosophy and practice of opportunistic hatred Hubbard called "fair game."

9. I had lost my law office job because of the Armstrong I trial, which really ran from April into June, 1984, and I did not get another job for some months, so had considerable time on my

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[4] (Continued) (Wards), resulted in a Judgment on July 23, 1984 issued by Justice Latey in favor of the non-Scientologist parent. The Judgement, which was upheld on appeal, contained a scathing condemnation of organization policies and practices.

hands in the fall of 1984 to meet with Sherman and the Loyalists and do some of the things they wanted. I had begun to draw and write seriously during this period, and some of my writings concerned the Scientology battle and the Loyalists. My situation with the organization and the Loyalists was bizarre and psychologically traumatic, and this is reflected in my writings of the period. Thanks to, I believe, my growing faith in God I was given the gift of a healthy sense of humor and that too is a facet of my communications and writings during the period.

10. In late July, 1984 the organization fed to the media the story, and filed papers in various court cases, including Armstrong I, charging, that Michael Flynn, who had fought the organization's fair game tactics for five years, who had been my friend and attorney for two years and had just successfully defended me in the Armstrong I trial, was behind a plot to cash a forged check for $2,000,000.00 on one of Hubbard's accounts at the Bank of New England. Sherman and Kluge communicated that the Loyalists knew Flynn was not involved, and that the organization leaders knew Flynn was uninvolved but were framing him with the forgery. The Loyalists said that they were working inside the organization to acquire the proof of the frame-up, and that when they proved Flynn's innocence they would be in a position to effectuate the reforms they sought. This was fine with me, because I fully believed that Flynn was innocent, and that the organization was framing him just to be able to attack him to eliminate the threat he represented to its antisocial practices

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and nature.

11. Over the next few months Sherman and Kluge communicated with me regularly about the Loyalists' progress in documenting the truth about the Flynn frame-up. They claimed that all staff were searched before they could leave OSA or management offices, so it was hard to get any documents out. Nevertheless, on a couple of occasions Sherman and Joey gave me a page or two that had been smuggled out. I learned that a US Attorney in Boston had become involved in the investigation of the frame-up, and I passed whatever I got from the Loyalists to him through Flynn.

12. One of the ideas which developed with the Loyalists in the early fall of 1984 was the possible filing of a lawsuit to take control of the organization from the "criminals." I saw this as an idea with merit, and could be the effective action the Loyalists said they were looking for to avert a major organization tragedy. I told Flynn what they wanted and he drafted a "bare bones" complaint which I passed to them. Sherman, Kluge and I discussed the lawsuit concept on several occasions, both of them asking me for my ideas and I helped as I could within the limits of my knowledge, ability and imagination.

13. The Loyalists then began discussing with me finding a financial "backer" for their lawsuit, basing this need on the likelihood that the bringing of the suit would freeze organization accounts, and the Loyalists would need operating capital. They claimed that the leaders had lots of money they had skimmed from the organization and squirreled away in their

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own bank accounts, and the Loyalists were all staff members and thus broke. I couldn't help them with money, and knew of no one who might finance whatever they did, so they said that, because I understood the situation so well, and had a proven record, they wanted me to talk to and encourage some prospective backers with whom they were in touch. One day I got a call from Kluge, asking me to fly to Las Vegas to meet with such a person, a "rich Scientologist" who had been mistreated by the organization and was aligned with the Loyalists on their goal of reformation. Although on Kluge's instructions I purchased a plane ticket, I called off the trip before leaving because my lawyers warned me that I could be walking into a trap.

14. There were many times during this period when I considered the possibility that I was walking into a trap. The thought arose in all my meetings with Kluge, and later with Mike Rinder, the second Loyalist I would meet. Their communications often didn't jibe with what they or Sherman had said on earlier occasions, and sometimes they said things which were downright stupid. I had no way of originating a communication to them, had no telephone numbers, no locations, no names, and no idea what any of them did. They had my address, phone number, knew exactly what I did, and could call me any time they wanted. They told me almost nothing, and wanted to know everything I knew. They claimed I had to be kept in the dark because of their fear for their lives, and for that reason I went along with their, even to me, strange behavior.

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15. Because of their fear for their lives they depended on secrecy, duplicity and intelligence procedures and goals. Although I had been in intelligence in the organization and had the essential quality for the field; i.e., native intelligence, I had, after leaving the organization, come to the conclusion that Scientology's brand of intelligence; i.e., the secret world of data, duplicity, stealth, hidden intentions and hidden identities, was ineffective, unhealthy, unholy, and not my choice for how I would make my way through life and deal with my problems. Even inside the organization, which is an intelligence-based group, I had urged those who were in positions to do something about it to open up, stop lying, disclose its leaders, divulge its secrets; because I felt that its lies, secrets, and secret orders from its secret leaders would only bring upon it more problems. After leaving the organization, a factor in my life which led to my faith in openness and freedom as opposed to secrecy and leverage, was all the testifying I did, in trial in Armstrong I and in B & G Wards, and in many days of depositions in several more Scientology-related cases. Also I knew that the organization's leaders, who had an undeniable determination to harm me, possessed my pc folders which contained every embarrassing incident or thought in my life, and my lives back umpteen impossibillion years. These facts had resulted in a tendency in me at times during this period to not care what happened to me and to act a little wild and silly.

16. Sometime during 1984 it came to me that what I was

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following, and what was a far superior technology and faith than intelligence, or perhaps perfect intelligence, was guidance. I had been given, before and after my asking, a desire to know my Creator, and I believe I received during this period some of His communications to me. Hubbard in his writings put no faith in his Creator, but put it in something of his own making, an intelligence apparatus in which he was the secret leader with secret bank accounts, secret communication lines, secret codes, secret intentions, and secret lawyers to keep them all secret. I had come to know God a little, and understood that no matter how scary things got I was in hands in which I was in no real danger. I could be shot, my body could be destroyed, I could be defamed and ruined, and I would still be in no real danger. And things did get scary for me in my dealings with Sherman and the Loyalists during this period. I picked up surveillance on a number of occasions, and there was the nagging strangeness of the Loyalists' communications and the movie-like quality of this play in which I was being played with. I still retained my intellect and acted with good sense most of the time, but a shift was occurring in my mind and soul. I began to walk deliberately into danger, but I was also new at this approach to life, and as yet a little foolhardy and undisciplined, and these facts too are reflected in my writings and actions of the period.

17. Sherman's and Kluge's interest was intelligence and they didn't want to hear much of my philosophy of guidance, courage and openness, so I turned my mind to the intelligence

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game, and as always happens when I turn my mind to any subject, I had ideas. Some of these ideas I communicated to the Loyalists, some I wrote down, some were only funny. Our meetings had a secretive, spy story feel to them, partly because of the danger the Loyalists said they were in and the danger I was in anyone would say, partly because of the subject matter we discussed, and partly because of the settings in which we met. Sherman insisted that I couldn't come to his home, so we met on many occasions in the bird sanctuary in Griffith Park. My first meeting with Kluge was in a cemetery in Glendale. I met him two more times in early November at different locations in Griffith Park, and then met with Rinder two times in late November at two more locations in the park.

18. Sherman told me around October, 1984 that the Loyalists had found a potential backer, a woman named Rene, another "rich Scientologist," who he said had been horribly hurt by the organization. He said he knew her personally and considered her a good and trusted friend. He said that she owned a publishing company which printed calendars, that he had told her about my artwork and writing, and that she wanted to see some of my materials for possible publication. Following our first meeting in Griffith Park Kluge took me to the Sheraton Grand Hotel in downtown Los Angeles to meet her. I took along a file of some of my work and left it with her. In my meeting with her she wanted to know my perspective on the lawsuit idea and my thoughts on removing the organization's criminal leadership.

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19. While claiming that the Loyalists wanted to take legal action to bring about a safe transfer of power, both Sherman and Kluge also claimed that they didn't know anything about legal matters, nor any of the organization's litigations, and that there were other people higher up in the Loyalist network who were trained in legal, stayed abreast of the organization's litigation battles, and had an understanding of the Loyalists' legal options and an overview of their plan which Sherman and Kluge didn't have. Coupled with their claimed need to keep me in the dark for fear of their lives, their assertions of ignorance of legal matters caused considerable frustration in me and in our communications. As a result, I requested in a number of communications to speak to their "best legal mind."

20. Finally the Loyalists said that their legal expert would meet me and a rendezvous was set up, again in Griffith Park. The "legal expert" turned out to be Mike Rinder, a person I had known in the organization, who had held various lower level administrative posts. Rinder, it turned out, also professed ignorance of legal concepts, and my meetings and communications with him were even more frustrating.

21. Some time after my last meeting with Rinder, which occurred November 30, 1984, I received a phone call from Kluge, advising me that the Loyalists did not trust me and would not be communicating with me again. I then wrote them my final communication, a copy of which is appended hereto as Exhibit A, and gave it to Sherman to give to them.

22. During my cross-examination in the spring, 1985 trial of Julie Christofferson v. Scientology, Circuit Court of the State of Oregon, Multnomah County, No. A7704-05184, the organization broke the fact that Sherman, Kluge and Rinder had been covert operatives, the Loyalists were invented, and that my meetings with Kluge and Rinder had been videotaped. The organization called the whole more than two year affair the "Armstrong Operation." Organization lawyers, Earle Cooley and John Peterson, claimed the Armstrong operation had been authorized by the Los Angeles Police Department, and they produced a letter dated November 7, 1984, a copy of which is appended hereto as Exhibit B, signed by an officer Phillip Rodriguez, directing organization private investigator Eugene M. Ingram to electronically eavesdrop on me and Michael Flynn.

23. On April 23, 1985, Los Angeles Police Chief Darryl F. Gates issued a public statement, a copy of which is appended hereto as Exhibit C, denying that the Rodriguez letter was a correspondence from the Los Angeles Police Department, denying that the Los Angeles Police Department had cooperated with Ingram, and stating emphatically that all purported authorizations directed to Ingram by any member of the Los Angeles Police Department are invalid and unauthorized. On information and belief, the officer, Phillip Rodriguez, who signed Ingram's letter was paid $10,000.00 for his signature. Also on information and belief, following a Los Angeles Police Department Internal Affairs Division investigation and a Police

Department Board of Rights, Officer Rodriguez was suspended from the Los Angeles Police Force. Eugene Ingram had himself some years before been drummed out of the Los Angeles Police Department. He is reputed to have been busted for pandering and taking payoffs from drug dealers. He is a liar and a bully who has been involved in organization intelligence operations against its perceived enemies for many years. During the period I was involved with the Loyalists Ingram called me at my home and threatened to put a bullet between my eyes.

24. Initially the presiding judge in the Christofferson trial Donald F. Londer refused to admit the tapes because they had been obtained illegally. Then he viewed them in chambers and when he returned to the bench stated that "the tapes are damaging, very damaging to the church." Then he admitted them into evidence.

25. Despite Judge Londer's ruling and comments, and despite Chief Gates' repudiation of the Rodriguez "authorization," the organization has continued in press and courts around the world to claim that the videotape operation was "police-sanctioned." The organization has continued to claim that I originated the "plot to overthrow "church" management" and that I initiated the contact with the organization members, who merely played along with my plan while remaining "loyal" to the organization. It also has continued to claim that the videotapes show me plotting to forge documents and seed them in organization files to be found in a raid, show me creating "sham lawsuits," show me urging

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the Loyalists to not prove anything but "just allege it," and show me seeking to take control of the organization. The videotapes show none of those things. The tapes show that in the fall of 1984, during the reign of the organization's present supreme leader David Miscavige (DM), the fair game doctrine was alive and as unfair as ever. The tapes show a mean-spirited, mendacious and malevolent organization using well-drilled operatives and electronic gadgetry to attempt, unsuccessfully, to set up an unwitting, funny, sometimes silly, clearly helpful, at times foul-mouthed, but otherwise ordinary human male.

26. The organization's refusal to stop telling these lies is not surprising, however, because its leaders have put so many of their eggs in their dirty tricks basket. These leaders are unbalanced and in a very precarious situation. Having lied about the Armstrong Operation in so many courts and publications and to so many people, including their own followers, these leaders risk their positions of power, and in their minds their very lives, if they ever admit the breadth of those lies. Yet it is in the acknowledgement of the truth behind those lies where ultimately their safety will be found.

27. It has not ceased to be embarrassing to me whenever the organization trots out the Armstrong videotapes, because I do say some silly and raunchy things. But the organization has never been able to embarrass me into silence and it won't now.

28. The Scientology legal war has almost run its course. The organization's leaders can never rewrite all history.

Scientologists of good will everywhere can be free.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Anselmo, California, on February 20, 1994.

GERALD ARMSTRONG

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4698

C

EUGENE M. INGRAM
INGRAM INVESTIGATIONS
California License Number AA9387
1212 North Vermont Avenue
Los Angeles, California 90029

November 7, 1984

To: EUGENE M. INGRAM, PRIVATE INVESTIGATOR

From: PHILLIP RODRIGUEZ, POLICE OFFICER, NORTHEAST DIVISION, CITY OF LOS ANGELES

I hereby direct EUGENE M. INGRAM and his employees/agents or other persons acting under his direction, to intentionally and without the consent of all parties to a confidential communication, by means of any electronic amplifying or recording device, eavesdrop upon or record such confidential communication, whether such communication is carried on among such parties in the presence of one another or by means of a telegraph, telephone or other device, for the period November 7, 1984 thru November 14, 1984; provided however, that if recordings are accomplished on any day during the above period, EUGENE M. INGRAM is to report the results to me for further direction by me.

This authorization shall specifically pertain to the investigation of GERRY ARMSTONG, MICHAEL J. FLYNN, AND OTHERS NOT KNOWN AT THIS TIME, regarding possible criminal violations of, but not limited to, California Penal Code §664 (Attempts), §134 (Preparing False Documentary Evidence), §182 (Conspiracy) and/or any other violations of criminal laws.

This authorization is in compliance with California Penal Code §633.

Signed in Los Angeles, California, on November 7, 1984.

OFFICER PHILLIP RODRIGUEZ
SERIAL NUMBER 16924
LOS ANGELES POLICE DEPARTMENT

EXHIBIT "A"

D

April 23, 1985

4702

PUBLIC ANNOUNCEMENT
BY
DARYL F. GATES
CHIEF OF POLICE, LOS ANGELES

It has come to my attention that a member of the L. A. P. D. very foolishly, without proper authorization and contrary to the policy of this Department, signed a letter to Eugene M. Ingram, believed to have been drafted by Ingram himself. The letter purports to authorize Ingram to engage in electronic eavesdropping. The letter, along with all the purported authorization, is invalid and is NOT a correspondence from the Los Angeles Police Department.

The Los Angeles Police Department has not cooperated with Eugene Ingram. It will be a cold day in hell when we do.

I have directed an official letter to Ingram informing him that the letter signed by Officer Phillip Rodriguez dated November 7, 1984, and all other letters of purported authorizations directed to him, signed by any member of the Los Angeles Police Department, are invalid and unauthorized.

Internal Affairs Division is now investigating the entire incident.

THIS IS TO CERTIFY THAT I HAVE EXAMINED THE ORIGINAL OF THIS DOCUMENT AND FIND THIS REPRODUCTION TO BE A TRUE COPY OF SAME MADE WITHOUT ALTERATIONS OR ERASURES.

By Sgt E Hennessey 14828
RECORDS & IDENTIFICATION DIVISION
LOS ANGELES POLICE DEPARTMENT

Dated: 5-16-85

399

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES;

I am employed in the County of Los Angeles, state of California. I am over the age of eighteen (18) and not a party to the within action; my business address is: 221 North Figueroa Street, Suite 1200, Los Angeles, California 90012.

On March 9, 1994, I served the following document (s) described as:

DECLARATION OF GERALD ARMSTRONG RE: MOTION FOR COSTS

on interested parties in this action by placing ___ the original X a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

( ) (BY TELECOPIER) I caused such document to be faxed to the addressee.

(X) (BY MAIL) I caused such envelope with postage thereon fully prepaid to be placed in the United States Mail at Los Angeles, California.

( ) (BY PERSONAL DELIVERY) I caused such envelope to be delivered by hand to the office of the addressee.

(X) (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

( ) (FEDERAL) I declare that I am employed in the office of a member of this court at whose direction the service was made.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on this same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(X) I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that this declaration was executed on March 9, 1994, at Los Angeles, California.

(Signature)

SERVICE LIST

CHURCH OF S ENTOLOGY INTERNATIONAL V. VEN FISHMAN AND UWE GEERTZ

Robert Wiener, Esq.
Bowles & Moxon
6255 Sunset Blve., Suite 2000
Hollywood, California 90028

Jonathan W. Lubell, Esq.
MORRISON, COHEN, SINGER & WEINSTEIN
750 Lexington Avenue
New York, New York 10022

Mr. Steven Fishman
8851 Sunrise Lakes Blvd., #116
Sunrise, Florida 33322-1413

PLAINTIFF'S EXHIBIT 64 GA
10/20/94.

DECLARATION OF GERALD ARMSTRONG

I, Gerald Armstrong, declare:

1. I am over 18 years of age and a resident of the State of California. I have personal knowledge of the matters set forth herein and if called upon to testify thereto I competently would.

2. I am making this declaration in response to the Scientology organization's efforts to have part of the Court's file sealed in the case of Church of Scientology International v. Steven Fishman and Uwe Geertz, United States District Court for the Central District of California, Case No. 91-6426-HLH(Bx). It is my request that for the reasons set forth below no papers in that case be sealed.

3. One of the documents the organization seeks to seal is a declaration I executed on February 22, 1994 in response to falsehoods made about me and my experiences with the organization by its leader David Miscavige in his declaration executed February 8 and filed in the Fishman case. At paragraph 14 of my February 22 declaration I stated:

> "I will also take the opportunity to advise this Court that Mr. Miscavige's organization considers that it has me under a contract whereby it may sue me for filing this declaration, not because it is untrue or libelous, but because that is what the organization insists its contract permits. This contract was obtained by Mr. Miscavige as the result of his organization's years of attack on my attorney Michael Flynn, as stated in paragraph 7 subparagraph h. above.

> In order to get the organization to cease its fair game against Mr. Flynn I had to sign its contract, which, according to Mr. Miscavige, allows him and his agents to say whatever they want about me in any court proceeding or in the media and I may not respond. If I do respond I become subject to a $50,000.00 liquidated damages provision for every utterance, and the target in another Miscavige-ordered costly and harassing lawsuit. The three lawsuits, Armstrong II, III and IV described in paragraph 7, subparagraphs o, p and q, and the contempt of court proceedings at subparagraph r, are all pursuant to this contract. The contract is against public policy and illegal."

A copy of the first page of the February 22 declaration, pages 12 and 13 which contain this quoted section, and the signature page are appended hereto as Exhibit A.

4. On April 5, 1994 the organization did indeed amend its complaint in Church of Scientology International v. Gerald Armstrong, et al. Los Angeles Superior Court Case No. BC 052395 (Armstrong II) to add a cause of action for my providing the February 22 declaration to attorneys for defendant Uwe Geertz in order to correct the Miscavige falsehoods, and it did indeed claim $50,000.00 in liquidated damages and additional damages which it states are incalculable. A copy of the face page of the organization's Verified Second Amended Complaint for Damages and for Preliminary and Permanent Injunctive Relief for Breach of Contract, pages 25 and 26 which contain the cause of action relating to my February 22 declaration, the signature page and

the verification page are appended hereto as Exhibit B.

5. On April 15, 1994 I filed a Second Amended Verified Cross-Complaint for Abuse of Process in the case of Church of Scientology International v. Gerald Armstrong, et al. Marin County Superior Court Case No. 157680, which included in paragraph 69 at page 24 the allegation that the organization's claim of damages in Armstrong II for my February 22 declaration response to Miscavige's falsehoods in Fishman was an act in furtherance of its actual litigation motives of obstruction of justice, suppression of evidence, assassination of my reputation, use of the discovery process for gathering intelligence on its enemies, and making an example of me to scare knowledgeable witnesses into silence, which act constituted an abuse of process. A copy of my second amended cross-complaint is appended hereto as Exhibit C.

6. Since the organization has made my February 22 declaration the subject of its litigation in its unsealed Armstrong II case it is inconsistent of the organization to seek to seal the declaration in the Fishman case. Sealing the declaration in one case when the organization will use it in another case wherein the declaration will not be sealed will only generate confusion; which is in fact the organization's purpose in seeking to seal not only my declaration, but all the other documents filed in Fishman as well. Pursuant to its policies to "use the law to harass" the organization will then capitalize on the confusion it has generated to further its attacks on its fancied enemies.

7. The Scientology organization has since 1984 accused me

falsely of violating court sealing orders at least a dozen times, including three attempts to have me found in contempt of court for alleged violations which the organization fabricated. Meanwhile the organization has itself refused to honor the same sealing orders, and has used documents which it had itself had sealed to attack me. Sealing documents at the insistence of this organization only provides it with a mechanism to obstruct justice and use our courts to wage an unjust war on its designated enemies.

8. Appended hereto as Exhibit D is a copy of a declaration I executed March 15, 1990 and filed in the California Court of Appeal in support of a petition to be able to respond in an appeal the organization had taken from an order of the Los Angeles Superior Court unsealing that Court's file in the case of Church of Scientology of California v. Gerald Armstrong, Case No. C 420153 (Armstrong I). At paragraphs 20 through 24 and 26 through 39 I describe a series of affidavits executed by organization personnel Kenneth Long and Sheila Chaleff which were filed in 1987 in the case of Church of Scientology of California v. Russell Miller & Penguin Books Limited in London, England in the High Court of Justice, Case No. 6140. The organization falsely accuses me in its affidavits, copies of which are appended hereto as Exhibit E, of "knowingly violating several court (sealing) orders."

9. I did not respond in the Miller case to the organization's charges of sealing order violations because one of its lawyers, Earle C. Cooley, had threatened through my attorney Michael Flynn that I would be sued if I even talked to Mr.

Miller's or Penguin Books' lawyers (see paragraph 20 at page 9 of my March 15, 1990 declaration, Exhibit D hereto). Following my filing of the March 20, 1990 declaration in which I denied the organization's charges the organization refused to change its claim of sealing order violations. On December 25, 1990 I executed a declaration, which was also filed in the Court of Appeal, detailing the facts underlying the organization's charges in the Long and Chaleff affidavits of sealing order violations and refuting the charges. Paragraph 17 at page 10 of the December 25, 1990 declaration, a copy of which is appended hereto as Exhibit F, described Mr. Long's repetition of his sealing order violation charges in a declaration he executed March 26, 1990, a copy of which is appended hereto as Exhibit G. Paragraph 20 at page 10 of the December 25, 1990 declaration details the truth behind Mr. Long's false charges. Although the facts I give in both the March 15 and December, 25, 1990 declarations have remained unrefuted, the organization refuses to correct its false charges against me in its declarations and affidavits. That is unsurprising, however, because one of its purposes in litigation is to generate as much confusion as possible. In the area of what is or is not sealed or unsealed or has or has not been sealed when in what court where it is particularly easy for confusion to be generated and false charges of violations to be made, and the Scientology organization has taken great advantage of that fact and great advantage of the inclination of the courts of this country to treat the organization with the same respect given to honest parties who lack its determination to subvert justice.

10. In paragraph 25 at page 10 of my March 15, 1990 declaration (exhibit D hereto) I list ten documents which Mr. Long had appended as exhibits to his affidavit of October 5, 1987, all of which had been part of the record in the Armstrong I case which the organization had insisted be sealed as a condition of settlement of the case. The organization, while making false allegations of sealing order violations or even manufacturing "violations" in order to make its charges, simply will not respect any court's sealing order itself if it will gain some advantage by violating such order.

11. Appended hereto as Exhibit H is a copy of a document published and distributed by the organization entitled ""Factnet" - Perversions, Criminality and Lies." On information and belief this document was ordered, written and ordered disseminated by David Miscavige. It is an example of what L. Ron Hubbard, the organization's leader before Miscavige, called "black propaganda" or "black PR," which he defined as "spreading lies by hidden sources," or "a covert attack on the reputation of a person, company or nation using slander and lies in order to weaken or destroy." At page 3 and 4 of this publication is a section devoted to me. It is almost all lies and clearly libelous. It includes the description of a dream I had and was inspired to write down. Organization covert operatives stole my writing and filed it in the Armstrong I case. The dream is insignificant because it was only a dream. What has become significant about it is its misuse and perversion pursuant to the organization's black PR and fair game policies. The writing was specifically sealed in Armstrong I. The Armstrong I trial judge, Honorable

Paul G. Breckenridge, Jr. stated at page 12 of his decision of June 20, 1984, a copy of which is attached hereto as Exhibit I, that the organization's intelligence, legal and public relations arm "was no respector of anyone's civil rights, particularly that of privacy." The same is true in 1994, and for that reason too the organization's efforts to seal the declarations of its "enemies," when it will itself use whatever is sealed to abuse those people should be rejected. The Breckenridge decision was affirmed on appeal on July 29, 1991, Church of Scientology of California v. Armstrong, 232 Cal. App. 3d 1060, 283 Cal. Rptr. 917.

12. On September 11, 1991 the organization filed a motion to seal the record on appeal in Armstrong, supported by a declaration of Kenneth Long executed September 10, 1991 in which he falsely claimed that a lengthy list of documents in the appellate record, plus the trial transcript had been sealed throughout the Armstrong I litigation and should therefore be sealed again to preserve the organization's "property and privacy interests." The organization's motion and the supporting Long declaration are appended hereto as Exhibit J.

13. Appended hereto as Exhibit K is my opposition to the organization's motion to seal the record on appeal and my declaration in support thereof executed October 16, 1991. I point out in the opposition and declaration that the documents and trial transcript the organization was seeking to have sealed in the appellate record were, contrary to the organization's claim, public documents which had been widely disseminated because of the great public interest in them, and that sealing

the record would be senseless. The same is true regarding the documents, in addition to my February 22, 1994 declaration, which the organization seeks to have sealed in Fishman. I myself have received a copy of two full file boxes of these documents, and had already given them to yet another person for copying for himself and others, again because of the great public interest in these materials, long before I learned of the organization's attempt to have them sealed.

14. Appended hereto as Exhibit L is a copy of the California Court of Appeal's denial of the organization's motion to seal the record dated December 5, 1991.

15. Appended hereto as Exhibit M is page 15 of the organization's second amended complaint in Armstrong II (see also Exhibit B hereto). At paragraph 61 the organization alleges that I have violated its "settlement agreement" by failing to return two documents. This is untrue. Both of these documents I obtained years after the 1986 settlement, and both are public documents. One of the documents the organization publishes to this day in its books. This allegation is significant, however, because it shows the sort of liberties the organization will take with the truth to be able to allege any sort of "violation" by its "enemies."

16. Appended hereto as Exhibit N is page 17 of the organization's second amended complaint in Armstrong II (see also Exhibit B hereto). At paragraph 72 the organization alleges that I have violated a sealing order in Armstrong I by authenticating a portion of a transcript. This is untrue. There never was such a sealing order. The transcript was disseminated to countless

people around the world, and is widely available. Again it shows the abuse this organization make of any sealing order, real or not, and the confusion it will generate with its allegations of violations.

17. Judge Breckenridge declared in 1984:

> "In addition to violating and abusing its own members civil rights, the organization over the years with its "Fair Game" doctrine has harassed and abused those persons not in the [organization] whom it perceives as enemies. The organization clearly is schizophrenic and paranoid, and this bizarre combination seems to be a reflection of its founder LRH. The evidence portrays a man who has been virtually a pathological liar when it comes to his history, background and achievements." (Exhibit I hereto)

The organization desperately seeks to rewrite its dark history, just as Hubbard sought to rewrite his. It uses its schizophrenia to deliberately forget the facts and truth so that it can continue to madly attack its imagined enemies. It compartmentalizes its monolithic organizational-self in its group mind to support its schizophrenia. It has its various entities and mouthpieces appear in court as it suits its purposes to make its mad allegations and give plausibility to its denials of its victims' allegations. Our courts should not support the organization's efforts to rewrite history, but should act to restrain its autogenetic madness.

18. At page 23 of my opposition to the organization's

motion to seal the record on appeal in Armstrong I (Exhibit K hereto) I stated that:

> "This Court has a golden opportunity in this matter to send the message to (the organization) to cause them to abandon their hope of enlisting the assistance of the judiciary to hide their past and confuse the truth, and to place their hope for a peaceful future in openness, not secrecy."

The same is true today in whatever the Courts do in the Fishman case. But add too the protection of those people who have the courage to come forward, stand up to this organization and say some of what they know. Do not leave them even more exposed to the organization's malevolence than they are already by sealing their words.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at San Anselmo, California, on April 21, 1994.

GERALD ARMSTRONG

4715

PLAINTIFF'S EXHIBIT
58 GA
10/20/94

January 27, 1994

Graham E. Berry, Esquire
Lewis, D'Amato, Brisbois & Bisgaard
221 North Figueroa Street
Suite 1200
Los Angeles, CA 90012

By Fax: (213)250-7900

Dear Graham:

Here is the information you asked for yesterday:

Ed Walters has stated that he knew about GO ops and coverup in the death of Quentin Hubbard. 4902 North 9th Street, Las Vegas, NV 89101 (702)382-7011. Walters is a December, 1986 settlement agreement signer, so unless he goes an Armstrong route or unless you get the organization to release him from the "agreement," he may be unwilling to talk.

Ed Roberts is a man the Steven Creek org ripped off. His credit card was maxxed against his specific instructions, and a loan was "arranged" for him between the Stevens Creek reg and her Scientologist cohort in the loan company, Loan Arranger. Ed lost his house and Scn refuses to refund his money. Add to that this benevolent church has sued me and wants $50,000 for daring to assist Ed. (408)338-7098 Brookdale Lodge, Room #48, Brookdale, CA 95007. I'll pass on any other flat-out financial fraud as I think of it.

[redacted]

Regarding other flat-out financial fraud, [redacted] another settlement agreement signer, could be helpful. Would have to be subpoenaed. [redacted]

[redacted] Finance Police ripoffs of the mission holders in 1982-3 period. Last number I had for him was [redacted] I gave these numbers to [redacted] some time back and he may have since tracked [redacted]

[redacted] may be a helpful source for some of your areas of interest. [redacted]

Yours sincerely,

Gerry Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450
Days (415)258-0360 Fax (415)456-5318

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

--oOo--

CERTIFIED COPY

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation, Plaintiff, vs. GERALD ARMSTRONG; DOES 1-25, inclusive, Defendants.	No. BC 052395

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

A. Do I think?

Q. Yes.

A. They may.

Q. Is there anyone else who may have knowledge of to whom it was sent?

A. Cable News Network and the Chronicle.

Q. Obviously, the recipient, but anyone else engaged in the sending or who would know about the sending besides the recipients?

A. I don't believe so.

Q. What about the San Francisco Examiner? Do you know if it was sent to the San Francisco Examiner?

A. I don't know.

Q. Do you know if it was sent to the Marin County Independent Journal?

A. What was your question?

Q. Do you know if it was sent to the Marin County Independent Journal?

A. I don't know.

Q. At the time that this press release was sent out, Mr. Greene was your attorney in this case; is that correct?

A. Yes.

Q. Earlier this year, Mr. Armstrong, you gave interviews to media representatives, did you not?

A. Yes.

Q. Do you recall approximately how many such interviews you've given in 1992?

A. I believe there has only been one interview which I would consider an interview, and that was with CNN.

Q. And were there other times when you spoke to reporters, or other media representatives, that you did not consider an interview?

A. Yes.

Q. Approximately how many of those?

A. I must retract that.

I consider that Bill Horne of the American Lawyer interviewed me.

And then additional contacts of any kind with the media, perhaps ten.

Q. All right. Let's look first at the interview with CNN.

Do you recall the date of that interview

A. My recollection is March 20th, 1992.

Q. Do you recall if it was before or after the hearing held before Judge Dufficy in Marin County Superior Court on the motion for preliminary injunctio

A. Yes.

Q. Which was it, before or after?

A. After.

Q. The same day or the next day?

A. Same day.

Q. And where did this interview take place?

A. In Mr. Greene's office.

Q. Do you recall the name of the reporter?

A. Yes.

Q. And who was that?

A. Don Knapp, N-a-p-p (sic).

MR. GREENE: K-n --

THE WITNESS: K-n-a-p-p.

Thank you.

MS. BARTILSON: Q. And for approximately how long were you interviewed by Mr. Knapp?

A. Perhaps five minutes. Less.

Q. And was your lawyer also interviewed by Mr. Knapp?

A. Yes.

Q. Do you recall any of the substance of what you communicated to Mr. Knapp during the interview?

A. Yes.

Q. What was that?

A. It related to Scientology's practice of fair game and my knowledge of organizational and Hubbardian fraud.

Q. Knowledge which you had gained because of your years of experience with the organization, as you term it?

A. Correct.

Q. Was the interview videotaped?

A. Yes.

Q. Was the entirety of the interview videotaped, or were there times that you also spoke with Mr. Knapp that were not videotaped?

A. If, by that, you mean when, for example, I may have helped him out with his camera gear, opened the door for him and said "Good-by," or helped him move things around and exchanged comments of that nature, then, no. I think that's how to answer it.

MS. BARTILSON: Could you read back the question and the answer, because I'm not sure --

MR. GREENE: He said that there was no substance aside from courtesies that -- there was nothing -- nothing was videotaped except --

Go ahead. Read it back.

MS. BARTILSON: I'm not sure that was the answer to the question. I just want to see what we've got.

Okay.

(Whereupon the record was read.)

MS. BARTILSON: Okay. Thanks.

Q. The only substantive conversations you had with Mr. Knapp, concerning the matters that you've testified to as to what the interviews were, were on videotape; is that correct?

That was an unclear question.

A. The only substantive conversations which concerned that subject that I just spoke about were on videotape, yes.

Q. Were you present when your attorney was interviewed by Mr. Knapp?

A. Yes.

Q. Do you recall what it is that your attorney spoke about?

A. I recall him speaking about constitutional issues.

Q. Do you recall what constitutional issues?

A. Freedom of speech.

Q. Did Mr. Greene speak about freedom of speech in the abstract, or did he relate it to any particular factual circumstance?

A. I believe he related it to the concept of the organization's attempt, through the settlement agreement, to stifle freedom of speech and stifle the public's right to the knowledge of the organization's

HEADLINE NEWS

[SHOT: Studio setting]

NARRATOR: A former member of the Church of Scientology claims he has damaging information about the organization, but he's being silenced by a Court Order. Don Nab explains.

[CNN CAPTION: SCIENTOLOGY.]

[SHOT: Close up of Armstrong with Ford Greene behind him. Then a pan of the courtroom, with attorney Andy Wilson arguing and a shot of the Judge.]

Don Nab: Gerald Armstrong says he knows a lot about the Church of Scientology and he's fighting in court for the chance to tell it. A former archivist of the organization he had first hand access to records of Scientology's controversial founder, L. Ron Hubbard.

[SHOT: Close up of Armstrong in an office. Don Nab narrating]

Gerald Armstrong: I'm an expert in the misrepresentations Hubbard has made about himself from the beginning of Dianetics until the day he died.

Don Nab: But that's about all that he can say legally. The Church of Scientology slapped Armstrong with a Court Order to prevent him from talking about what he may know.

[SHOT: Excerpt of Video tape of 1986 settlement signing.]

Heller: You are going to sign this of your own free will.

Armstrong: Yes.

[CNN caption: December 1986.]

Heller: OK. You're not suffering from any duress or coersion which is compelling you to sign this document.

[CNN CAPTION: Video provided by Anti-Scientology Attorney.]

Armstrong: No.

Heller: Alright, ...

Don Nab: As part of the lawsuit settlement documented by Scientology on this video tape, the Church paid Armstrong $800,000. In that settlement Armstrong agreed not talk about the Church, it's documents, or its founder.

[1ST SHOT: Wilson and Hertzberg sitting at counsel table.]
[2ND SHOT: Greene arguing at counsel table.]

Don Nab: Now, the Church of Scientology wants to block Armstrong from working with anti-Scientology attorney, Ford Greene.

Ford Greene: Gerald Armstrong possesses information about the Church of Scientology on first-hand basis that undercuts a lot of the claims that they make to the public on a daily basis in advertisements on TV and advertisements in newspapers.

[CNN CAPTION: Ford Greene, Anti-Scientology Attorney.]

[SHOT: Bartilson at counsel table with a stack of papers.]

Don Nab: Greene hired Armstrong as a paralegal, to help him with a lawsuit against Scientology in Los Angeles.

[SHOT: Wilson arguing at counsel table.]

Don Nab: Attorneys for the Church of Scientology claimed that Armstrong was breaking his settlement contract.

Andy Wilson: $800,000. $800,000 was paid to that man. And now that he's spent the money, he comes into this court and he says, "I don't have to keep my part of the bargain."

[CNN CAPTION: Andrew Wilson, Scientology Attorney.]

[SHOT: Judge Dufficy at Bench.]

Don Nab: Scientology won this round. The gag on Armstrong remains, for now.

[SHOT: Close up of Armstrong at counsel table.]

Don Nab: Armstrong is not alone. 12 former Scientology members have accepted money to settle lawsuits with the Church.

[SHOT: Pleading packs on counsel table.]

Don Nab: The settlements included, promises to remain quiet and take no part in further litigation against the Church.

[SHOT: Greene in law office.]

Ford Greene: It'll be extremely damaging because Scientology has spent a whole ton of dough, on keeping not only Gerry silent but a lot of other people silent. And if Gerry's case unravels, it's the first domino, and all the rest of them are going to unravel ...

[SHOT: Green in law office with interviewer.]

Don Nab: Attorney Greene says, Armstrong's knowledge of Scientology can prove the Church is not what it says it is.

[SHOT: Outside of the Courtroom. Armstrong and Phippeny prominent.]

Don Nab: Scientology says, Armstrong accepted a lot of money not to discuss the Church and should keep his word. Don Nab, CNN, San Raphael, California.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

--oOo--

CERTIFIED COPY

CHURCH OF SCIENTOLOGY)
INTERNATIONAL, a California)
not-for-profit religious)
corporation,)
)
Plaintiff,)
)
vs.) No. BC 052395
)
GERALD ARMSTRONG; DOES 1-25,)
inclusive,)
)
Defendants.)

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

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Q. Obviously, the recipient, but anyone else engaged in the sending or who would know about the sending besides the recipients?

A. I don't believe so.

Q. What about the San Francisco *Examiner*? Do you know if it was sent to the San Francisco *Examiner*?

A. I don't know.

Q. Do you know if it was sent to the *Marin County Independent Journal*?

A. What was your question?

Q. Do you know if it was sent to the *Marin County Independent Journal*?

A. I don't know.

Q. At the time that this press release was sent out, Mr. Greene was your attorney in this case; is that correct?

A. Yes.

Q. Earlier this year, Mr. Armstrong, you gave interviews to media representatives, did you not?

A. Yes.

Q. Do you recall approximately how many such interviews you've given in 1992?

A. I believe there has only been one interview which I would consider an interview, and that was with CNN.

Q. And were there other times when you spoke to reporters, or other media representatives, that you did not consider an interview?

A. Yes.

Q. Approximately how many of those?

A. I must retract that.

I consider that Bill Horne of the American Lawyer interviewed me.

And then additional contacts of any kind with the media, perhaps ten.

Q. All right. Let's look first at the interview with CNN.

Do you recall the date of that interview?

A. My recollection is March 20th, 1992.

Q. Do you recall if it was before or after the hearing held before Judge Dufficy in Marin County Superior Court on the motion for preliminary injunction?

A. Yes.

Q. Which was it, before or after?

was aired by CNN.

MS. BARTILSON: Q. So you asked Mr. Knapp how you could go about doing that?

A. That's the gist of the conversation.

Q. Do you recall his reply?

A. Not specifically.

Q. Did you discuss anything else with Mr. Knapp besides the obtaining of the videotape of that segment?

A. It may have been that we discussed running briefly.

Q. Did you ever have any other occasion to speak with Mr. Knapp besides the two that you've now described?

A. No.

Q. Do you know who arranged for Mr. Knapp to come to Mr. Greene's office on March 20th?

A. No.

Q. Were you working in Mr. Greene's office on March 20th, 1992?

A. Yes.

Q. When were you interviewed by Bill Horne?

A. I believe in the spring, this year.

Q. Do you recall what month?

A. Not right now.

Q. Do you recall if it was before or after the

CNN interview that you've described?

A. It was after.

Q. Do you recall if it was before or after the first time you came down to Los Angeles for a hearing in this case, after it had been transferred to Los Angeles?

A. I believe it was before.

Q. Okay. How did you come to have an interview with Mr. Horne?

A. I think that it stems from my involvement in Scientology litigation, which subject he was covering in his story.

Q. Did he contact you, or did you contact him?

A. I believe he contacted me.

Q. By telephone or in person or in writing?

A. I believe by telephone.

Q. Do you recall approximately how long before your interview with Mr. Horne he contacted you by telephone?

A. It might have been as long as a couple of weeks.

Q. And your interview was in person, was it not?

A. Yes.

Q. As best you can recall, when Mr. Horne contacted you by telephone that first time, what did he say to you and what did you say to him?

A. I have no recollection.

Q. Did you have any subsequent telephone calls with Mr. Horne before you were interviewed by him in person?

A. I believe so.

Q. Do you recall how many?

A. Perhaps two.

Q. Can you distinguish between the two conversations in your mind, or do they blur together when you think about them?

A. I distinguish them by his proximity: As he approached, he made a call.

Q. As he approached San Anselmo from some other part of the country?

A. Correct.

Q. Do you recall what was said in the first conversation?

A. No.

Q. Do you recall anything that was said by either of you in the second conversation?

A. It related to logistics, when was he arriving.

Q. Approximately how much time did you spend with him after he had arrived?

A. I believe I spent, myself, perhaps an hour and a half with him.

Q. Do you know anyone else who spent time with him?

A. Mr. Greene spent some time with him.

Q. Do you recall how much time?

A. No.

Q. Was Mr. Greene present when you were interviewed by him?

A. Some of the time.

Q. Were you present when Mr. Greene was interviewed by him?

A. Some of the time.

Q. Where did your interview take place?

A. In the office and walking into San Anselmo, having lunch, and returning.

Q. Mr. Horne arrived at your office on the day of the interview, which date you don't recall; is that right?

A. I'm sorry. I didn't get that.

Q. Did Mr. Horne arrive on his own at your office?

A. Yes.

Q. Was he by himself?

A. Yes.

Q. Did he tape-record the interview?

A. No.

Q. Did he take notes?

A. At times.

Q. Do you remember the subjects that you discussed with Mr. Horne?

A. Broadly, yes.

Q. Did you tape the interview with Mr. Horne?

A. No.

Q. Did Mr. Greene?

A. I don't know.

MR. GREENE: God may have.

MS. BARTILSON: God records everything, Ford. Best court reporter of all.

Q. What subjects do you recall discussing with Mr. Horne, speaking of broad subjects now?

A. The effect of the settlement agreements, the plight of the organization, what it would take to end its legal troubles.

Q. Anything else?

A. That's, basically, it.

Q. When you say "the effect of the settlement agreements," you are talking about agreements other than just yours?

A. Mine and others of that ilk, so both on a personal and theoretical and real level.

Q. And you are talking here about other settlement agreements that included nondisclosure agreements; is that right?

A. What was your question again?

Q. When you say "others of that ilk," you are discussing other settlement agreements that included nondisclosure provisions; is that correct?

A. Specific to the organization, yes.

Q. Did you discuss your own litigation with CSI with Mr. Horne?

A. I believe it was discussed in some form, the specifics about which I do not know.

Q. You don't know, or you don't recall?

A. I fail to see a difference in that sentence or context.

Q. Well, if you don't know something was discussed, you could not know it by never having been there or it never having come up.

A. But you know that I was there, and I said it had come up. So we've eliminated those two from the definition, at least, the distinction between "know" and "recall" in that sentence.

In any case, if it would speed things: I do not recall.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF MARIN

--oOo--

CERTIFIED COPY

CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation, Plaintiff,	
vs.	No. BC 052395
GERALD ARMSTRONG; DOES 1-25, inclusive, Defendants.	

DEPOSITION OF

GERALD ARMSTRONG

Volume III

October 7, 1992

REPORTED BY: LARRY BOSTOW, CSR# 5941

Q. Did you discuss anything of substance during that meeting?

A. I may have, but I do not recall anything of substance relating to this subject.

And when I say "subject," we're talking about Scientology litigation.

Q. Fair enough.

Did you ever have a conversation with Mr. Neil concerning this subject, as you've defined it?

A. I recall Mr. Neil being present outside the courtroom, in the hallway, following the March 20th hearing, at which time it is my recollection that he asked a question and that I answered it.

Q. What was the question?

A. I don't recall at this time.

Q. Do you recall your answer?

A. I have seen my answer, or at least part of it, in print, and I presently don't recall what it is.

Q. This was in the Marin County Independent?

MR. GREENE: Journal.

MS. BARTILSON: Q. Journal?

A. Right.

Q. In your 1992 conversation or conversations with Mr. Welkos, were those conversations of substance, or were they simply answering Mr. Greene's phone?

A. They were of substance.

Q. And they were more than one?

A. Right.

Q. When was the first one?

A. Sometime in the early part of this year.

Q. Do you recall if it was before or after the hearing in front of Judge Dufficy that we've been referring to?

A. It may have been around the time of.

Q. You don't recall for sure?

A. No.

Q. Was your conversation, this first one, by telephone or in person?

A. I have only met Mr. Welkos one time in person.

And earlier, I had indicated Sappell on -- as part of this, as well, and I may have -- it may have been 1991 when I met both of them, following the Geernaert hearing, G-e-e-r-n-a-e-r-t, Judge Geernaert, which was December 23, 1991.

Q. That was in Los Angeles?

A. Right.

Q. When you met with him, where did you meet him?

A. In the lobby of the Los Angeles Times

Building, near the great globe.

Q. Was Mr. Greene with you at the time?

A. No.

Q. Was anyone with you at the time?

A. No.

Q. How did you arrange to meet with Mr. Welkos and Mr. Sappell at the L.A. Times Building?

A. I called them.

Q. And they agreed to meet with you?

A. Right.

Q. How long was your meeting?

A. Fifteen minutes.

Q. Did you give them any documents?

A. At that meeting?

Q. Yes.

A. No.

Q. What did you discuss at that meeting?

A. Good times, Christmas, the L.A. Times, and the Geernaert ruling.

Q. The Geernaert ruling concerned enforcement of the settlement agreement that is the subject matter of this case; is that correct?

MR. GREENE: Objection. Calls for a legal conclusion.

Don't answer that question.

MS. BARTILSON: Q. In issuing the ruling that he issued, did Judge Geernaert consider the settlement agreement at issue in this case?

A. So that I get your question right: Did he consider the settlement agreement? Is that what you are asking?

Q. Right.

A. Yes.

Q. Did you discuss that settlement agreement with Mr. Welkos and Mr. Sappell?

A. I have no recollection of discussing it with them.

Q. What did you say that concerned the Geernaert ruling?

A. Certainly that he had denied the organization's motion to enforce it.

Q. "It" being the settlement agreement?

A. Right.

(Off the record.)

MS. BARTILSON: Q. Did Mr. Welkos or Mr. Sappell ask you anything about the settlement agreement: "What settlement agreement did the judge not enforce?"

A. They didn't ask that.

Q. Did you discuss anything else with them, besides the things that you have described to me so far.

on that occasion?

A. Not that I recall.

Q. Okay. When was the next time that you spoke with either Mr. Sappell or Mr. Welkos?

A. Early this year.

Q. And that's the one we started with.

You don't remember exactly when earlier this year; is that right?

A. Right.

Q. That was Mr. Welkos?

A. Right.

Q. This was a telephone call?

A. Right.

Q. Did you call him, or did he call you?

A. I called him.

Q. As best you can recall, what did you say to him? What did he say to you?

A. I have no specific recollection, but it concerned my involvement in the litigation.

Q. And when you say "in the litigation," you are talking about this lawsuit or some other lawsuit, or both?

A. All.

Q. All lawsuits anywhere?

A. It might. I have a role in the litigation and knowledge of the litigation which is beyond the specific facts of this case. It extends back into a lot of cases and into courts of appeal and into the Supreme Court, and so forth.

Q. So you are talking about all of your litigation against the Church of Scientology and related entities, or your litigation and other people's litigation against the Church of Scientology International and related entities, or both? Or am I in the ballpark?

A. Generally, my knowledge concerns my own litigation about -- with the organization, but that extends beyond that. So I have not limited my conversations only to -- In other words, I --

Q. Did you have a reason for calling Mr. Welkos when you called him?

A. Yes.

Q. What was that reason?

A. I don't recall.

Q. Did Mr. Welkos ask you any questions during the conversation?

A. I don't recall.

Q. Did you discuss fair game with him?

A. In that much of the organization's relationship to me is pursuant to fair game, then, yes.

But as to the specific discussion of it as a workable philosophy, I don't believe so.

Q. Do you recall anything else that you discussed with Mr. Welkos during that conversation besides what you've already testified to?

A. Perhaps the transfer of the case to Los Angeles.

You won that transfer motion. You shouldn't complain.

MR. GREENE: Yeah, shooting gun.

MS. BARTILSON: I figure we're 1 for 1 on the transfer motions.

MR. GREENE: Yeah, tit for tat. But we'll see how the tat --

MS. BARTILSON: Q. Anything else, that you recall?

A. Not that I recall.

Q. When was the next time you spoke to Mr. Welkos or Mr. Sappell?

A. Around the time of the Sohigian ruling.

Q. This is another telephone conversation?

A. In that I have only met Mr. Welkos on that one occasion, yes.

Q. I apologize. You said that, and I forgot.

And this was a conversation with Mr. Welkos?

A. Yes.

Q. Did you call him, or did he call you?

A. I believe I originated the conversation.

Q. What did he say to you, and what did you say to him, during that conversation?

A. I believe I advised him of the Sohigian ruling.

Q. Did you discuss anything else with him?

A. I think it was -- That's all that I recall being the subject of discussion at that time.

Q. Did you tell him that as a result of the Sohigian ruling, you now felt that you were more free to do things that you had been constrained about doing before?

A. No, I never said that. Because I did not feel I was constrained before. But rather that by specifically denying the injunction as to all of those things which the organization sought in the preliminary injunction, that I was free from the potential of an injunction.

Q. Okay. Did you have another conversation with Mr. Welkos or Mr. Sappell after that one?

A. Yes.

Q. When was that?

A. Perhaps two months ago.

Q. Was this with Mr. Welkos or Mr. Sappell?

A. Welkos.

Q. Did you call him, or did he call you?

A. I called him.

Q. What was your reason for calling him?

A. I don't recall.

Q. What did you say to him, and what did he say to you?

A. I don't recall.

Q. Do you recall how long the conversation was, approximately?

A. I recall it being very brief, but I don't recall specifically what it was.

Q. Did you ever send documents to either Mr. Welkos or Mr. Sappell?

A. Yes, I have.

Q. On more than one occasion?

A. Yes.

Q. When was the first time that you sent documents to either of them?

A. I believe 1986.

Q. Was that before or after December 6th?

A. Before.

Q. When was the next time that you sent documents to either one of them?

June 30, 1993

Mark Goldowitz, Esquire
1611 Telegraph Avenue
Suite 1200
Oakland, CA 94612

Re: CSC v. Wollersheim
Los Angeles Superior Court
Case No. BC 074815

By Fax (510)465-1985

Dear Mark:

Here are the press contacts I initiated yesterday:

1. Daily Journal (213)229-5300; Mike Tipping; gave him history of Wollersheim litigation, significance as I see it of present actions, what's been filed, lawyers involved, July 2 hearing; he says he will advise their Superior Court reporter and if possible cover the hearing.

2. Los Angeles Times, Joel Sappell (800)528-4637 (ext 77043); I urged him to get a reporter assigned to this story and Scientology to get up to speed, gave him background, 7/2 hearing, etc. He asked for documents (which I'll talk to you about later today).

3. Time, Rich Behar, (212)522-4205; urged him to pass on to LA Bu. He suggested I use his name to get to Bu Chief which I will do today. He did take several minutes of notes on Wollersheim history, present situation, players, etc.

4. Newsweek, Charles Fleming in LA (310)444-5254, very interested, took a lot of notes, recently did story on "Way to Happiness," and is getting educated in Scientology; hope to be at 7/2 hearing.

Yours sincerely,

Gerry Armstrong
c/o Hub Law

Gerry Armstrong
C/O Hub Law Offices
711 Sir Francis Drake Blvd
San Anselmo, CA 94960
(415)258-0360

PLAINTIFF'S
EXHIBIT
24
8-19-94

EXHIBIT TT, The video tape of an interview with Gerald Armstrong on November 6, 1992 has been lodged separately with the Court.

GERRY ARMSTRONG VIDEO INTERVIEW 6 NOVEMBER 1992

S = Spanky Taylor
G = Gerry Armstrong
J = Jerry Whitfield

S: We're here with Gerry Armstrong on the 6th of November 1992. Hi, Gerry.

G: Hi, Spanky.

S: Basically, what we're doing here is I want to find out a little bit about your Scientology experience, or, more than a little bit -- as much as we can, starting from when you got involved.

G: Ok.

S: So, tell me about that first.

G: I got involved in 1969 in Vancouver, British Columbia, Canada. And ... I spent a year and a half...

S: How old were you then?

G: Twenty-two. Spent about a year and a half in Vancouver. Worked in the local franchise, Scientology Little Mountain. And then in the beginning of '71 went off to save the world. Joined the Sea Org. Flew to LA. And was ... Signed my Sea Org contract at what was USLO. Then was on board the Bolivar, stationship down -- not exactly sure where it was...

S: San Pedro?

G: San Pedro, right. Then...

S: I loved the Bolivar.

G: And then by mid-February '71 was flown to New York, Madrid. Madrid took a train down to Algeciras. Algeciras across by ferry to Tangiers. There sitting in the Tangier harbor was the Apollo. I stayed on board except for brief missions off the ship or sometimes I'd go ashore for brief periods. But was on board 'til the fall of 1975. And we were, in those years, in Portugal, Morocco, Spain, and the little Atlantic islands -- Madeira, the Canarys, and then we made a circuit to the Caribbean islands -- Bermuda, Bahamas, Jamaica, Trinidad, Barbados, Netherlands Antilles.

S: Sounds like a Beach Boys saga. (Laughter) And you knew LRH?

G: Uh huh.

S: You married, your first marriage was... you married on Flag.

G: Yeah. I married his head messenger. Terry Gillham. Young Terry. She was a pretty good catch.

S: She was. She was.

G: I was organizationally a social climber. I really was. It just worked out that way, you know, I was in the right place at the right time I guess.

S: You had quite the wedding. I remember the photos very well.

G: Yeah? Yeah, I had a big double wedding along with Pat and Trudy Broeker.

S: That's right.

G: And through most of my time on board the ship I was the Legal Officer. We called it the Ship's Representative. I dealt with Immigration, Customs, and the Police and Harbor Master and handled all the needs of the ship while in port. And then I was the Public Relation's Officer Port Captain for a period of time. And then I was the Intelligence Officer through our time in the Caribbean. And when we went ashore, landed in Daytona, I was the Intelligence Officer again at the staging area for the Clearwater base which we had in Daytona at that time.

J: What's an Intelligence Officer?

G: Well...

S: It's a

G: ...they were talking about...

S: ... jumbo shrimp, what are those things called oxymorons?

G: Espionage. It's a Hubbard patterned -- his intelligence system, after Nazi system. Perfected, created, developed by Reinhardt Gehlen. And I was one person within a giant network of intelligence personnel operated by the Guardian's Office who were in turn operated by the Guardian, Mary Sue Hubbard, and L. Ron Hubbard. He merely directed on his long distance communication lines all the intelligence operations internationally.

J: What kind of intelligence operations -- we're talking

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about a church who has intelligence operations, a church with intelligence operations? Is that what you're saying? And you were there, you were involved in that? Is that what I'm hearing?

G: Right. Now I have a different perspective of course and I don't consider Scientology by any definition a "church" other than the fact that they have edifices -- buildings -- which could, if the activities therein were to change, could be churches. But the organization itself is not a church. But it's undeniable that it had intelligence organization and has been described as outside of the FBI and the CIA, the most formidable intelligence organization operating on the North American continent.

S: At this time, in the early times when you on the ship, you knew the offspring of L. Ron Hubbard. You knew his kids, as well?

G: Right.

S: Quentin and Diana, Arch and Suzette.

G: Right.

S: Tell me a little about them. I mean, you know, were they happy, were they well educated, were they ... because, of course, they were the offspring of this man with this tremendous wealth, did they receive the best of possible educations, did they lead a privileged life in terms of the...what was accessible to them in terms of in a society type of sense in terms of their education and their upbringing. Did they attend the finest finishing schools? Were they ... was Diana Hubbard a debutante. Do you know what I mean? Tell us about that.

G: I think she could have been a debutante but I don't think she was. I think that all the kids were pretty real in their own way, given the environment in which they found themselves and given the very odd circumstances of growing up in the Sea Organization. I suppose that the one I got closest to was Arthur. Arthur and I sort of ran tandem Sea Watch, or rather, gangway Quarter Master Watch for quite a period of time so I had the task of waking him up. He was pretty young at the time, maybe 13 or 14, I don't quite remember. It was always difficult waking him up and he would pull rank a little bit in that I didn't want to make too much noise waking him up in his cabin and there was always the threat that if you did anything out of line at all, Ron...

S: Son of Ron.

G: Son of Source.

S: Right, son of Source. Aauugh. That word.

G: But all of them, I was on Diana's Sea Watch and she was a good Conning Officer. I think that all of the kids were intelligent and I think that they were all decent, good people.

S: Happy? Unhappy?

G: I think both. You know, happy at times, unhappy at times.

S: Sort of normal then.

G: Pretty normal.

S: And Quentin?

G: Quentin, I think much the same thing. He probably was the oddest of the lot, relative to the Sea Org experience. But we got along fine. I always found him to be perhaps the most understanding, in a way, in almost as if he had ...

S: Sensitive?

G: Yeah, sensitive. compassionate. Didn't pull rank and wasn't threatening in any way.

S: So then you were at Daytona when the base was originally moved there.

G: Uh huh.

S: And from that point.

G: Then we moved to Dunedin. At that point I was busted from the Guardian's Office. I was in the Guardian's Office Intelligence Bureau. And Mary Sue or Nikki who was her communicator deemed me a security risk of some kind and so I was removed from the Guardian's Office and I was assigned to Hubbard's Communication Bureau. So I became what was called the Deputy LRH External Communications Aide when we moved to Dunedin which was in December of 1975 and we had a secret base for Hubbard and his personal staff and Mary Sue and her personal staff at Dunedin in an apartment complex I guess about maybe eight miles from Clearwater. And I stayed there until June of '76 at which time I was sent to Culver City here in Los Angeles to set up a staging area for what became the base that was built in La Quinta.

And I was only there for a brief amount of time. I was there to set up this unit along with three other messengers. And Hubbard arrived, Mary Sue Hubbard arrived, and then I had a fight with Nikki, and Hubbard then assigned me -- first I was taken out of that unit and I was kept locked up at the Intelligence Bureau in the Fifield Manor in Los Angeles.

J: You were locked up?

G: Right. I was kept under guard for a couple of weeks.

S: Which is where that Guardian's Office had moved to.

G: Right. The Intelligence Bureau of the G.O. was there. I was picked up by the D/Guardian for Intelligence Dick Weigand.

J: Isn't that falsely (sic) imprisonment. Isn't that illegal?

G: Yeah. It was clearly false imprisonment.

S: At this point do you feel much of what you had done had been illegal? On some level or another?

J: For Scientology.

G: Personally?

S: That you had done personally.

G: I clearly had been involved in some illegalities while... especially while I was on the ship. Smuggling things on and off and...

J: What kind of things? Money, drugs? Weapons?

G: We did move a lot of money around. Briefcases...

J: Go on.

G: Briefcases of money that were brought to the ship. Booze, cigarettes, that sort of stuff taken off the ship and run through Customs. And other things that were just done sort of borderline activities. But I was willing to do those sorts of things at that time and I considered that I was doing ...it was the greatest good for the greatest number.

S: When you were working in Intelligence did you ... were you involved with any "dirty tricks" against other Scientologists or other staff members?

G: I was aware of dirty tricks against staff members and I was aware of the way the Guardian's Office Intelligence Bureau worked to some degree because I had a lot of the policies. I had the Guardian's Office Intelligence hat, the Intelligence

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Manual which trained people to lie and steal and create false identities and harrass the enemy.

J: Why would a church need to do that?

G: Well, a church doesn't need to do that, but Scientology's not a church.

J: Why would Scientology feel the need to be involved in that kind of activity?

G: Because Hubbard was afraid and his idea on dealing with enemies was to attack them. One of the ways that he attacked them was through covert means.

J: Why would a man as great as Hubbard who had THE technology to save the world, have to fear anyone?

G: Well, he didn't have the technology to save the world and he simply had fear because he had fear and he was never able to triumph over his fear, so he put his trust in attacking people as opposed to doing the rational things in life and he also had reason to fear because he had falsified his credentials, he had lied about his life and he was afraid of being exposed and he had also lied and cheated for many years. He knew that there were people around who knew what he really was.

S: Now how did you come to find this out?

J: Can I ask one question? Answer that but answer this one first because you've got me really interested. If Scientology could do what it says it could do, would you still be in it? If it had the technology to do what it says, would you still be in anything?

G: In answering that question you'd have to...if you assumed that if it could do what it says it could do it would have a different form from what it is, then the answer might be yes. But both things would have to be true. It would have to deliver and it would have to be different from its present form opposed from the form which I came to know and understand.

J: Thanks. That's what I wanted to know. Go ahead with Spanky. How did you find out this?

S: How did you come to know that in fact Hubbard had fabricated his credentials, had in fact developed this tremendous fear that he had of being found out, had this paranoia?

J: What credentials? What would he do when found out?

G: I guess the process of that discovery began when I first got involved with the Sea Organization. Of course I worked with the man for quite a period of time. I shot gnus with him in the desert after we left the ship. He twice assigned me to the RPF. I talked to many people about him. I read hundreds of thousands of his words. I listened to him and listened to his tapes so I had a great understanding before I ever came to the realization that what I'd been led to understand was false, but I needed that great understanding I think in order to know what the falsities were. But I was, I considered, quite fortunate in that in the beginning of 1980 and we then were in Gilman Hot Springs and there was a threat of a raid and we were required to go through...each person had to go through his...all papers in his area, whatever post he was on, and all personal papers, and destroy anything which showed Hubbard's control of the organization, anything which showed his intent to live at the Gilman Hot Springs' property, anything which showed his control of organization finances.

S: So now in January of '80 isn't that when, as far as the rest of the staff at the other organizations knew, L. Ron Hubbard went off the lines, so to speak, January '80 he was like... Did he in fact go off the line or was it just made to look like he went off the line at that point? Cause if what you're saying, if I'm following you correctly, do you know, there was this perception that he was now gone and had cut ties to the actual on-hands running of the organization.

G: Well, it's...part of that is true. There had been a gradual decrease, I would say, of his hands-on involvement, but even though he left from the location that he was at the beginning of 1980, he continued to run the organization. He just continued to run through a different conduit.

S: Now, so you went through the papers within your own specific area. Was this prior to your being assigned to the biography project?

G: No, this is what the biography project came out of. Because in the process of going through my things I was at that time responsible for the Household Unit at the Gilman Hot Springs property. One of my juniors was responsible for all of L. Ron Hubbard's stuff -- his personal effects which were stored at the Gilman property. She came to me with a box of very old materials, very old papers, and asked if they should be shredded. I looked through this stuff and saw that it all predated Dianetics so thought, it should be no risk whatsoever. It has nothing to do with his running the organization. So, I also saw that it had great historical value. And when we then began to look over inventories, began to go through his stuff we uncovered some 20 boxes of similar material. And I knew that this stuff, could form the basis for a library and was incredibly valuable for its history and just as original documents, and that it would form the basis for a biography. So, it was at that time that I petitioned Hubbard to be able to collect this stuff up to preserve it and to contract with an outside writer to do the biography.

He approved the petition in January '80. And then we communicated another couple of times before I then did not have what was that direct comm line to him, communication line. We could then no longer admit to a communication line to him. It still was there but we could not use it for fear of civil litigants or the government then being able to subpeona him.

S: As he was under a lot of legal threat.

G: Right.

S: Domestically, at that time, right?

G: Right.

J: Why would L. Ron Hubbard be under legal threat?

G: Because he controlled the organization.

J: What's wrong with that?

G: And because the organization was involved in criminal and tortious activities.

S: I think additionally the church had, was also under tremendous legal stress in terms of people who were filing suit against the church now for fraud. There were attempts made to name L. Ron Hubbard in a suit, to actually serve him or subpeona him which is when he sort of "poof."

G: Right.

S: Disappeared.

J: So he disappeared, he ran and hid.

G: Right.

J: So, hiding is pretty down on the tone scale.

S: So I hear, honey.

J: But that's what the great L. Ron Hubbard was doing. You were there and that's what you saw.

G: Yeah. I mean he did hide.

J: I'm not trying -- it's just very difficult, the reason I'm saying this, it's very difficult for somebody who's in Scientology to conceive that the great L. Ron Hubbard whom they've never met, but have only heard these wonderful things about, to even perceive or comprehend that this might have been ... might have occurred with this man. How can this man be human? He's not human. He was L. Ron Hubbard. The reason that we're doing this interview is so that other people can know. It's very easy for a non-Scientologist to understand those things. It's very difficult for a Scientologist because Scientologists don't get the type of information that non-Scientologists get. And yet you were there. You knew him. You worked with him for probably 15 years or so.

G: I was in the Sea Org for 11 years.

S: And Gerry, backing up a bit, you saw him as a fallible human being, am I correct?

G: Yeah.

S: I mean he had had illnesses.

G: Right.

S: A great many illnesses, a few illnesses?

G: Quite a few.

S: I know that he had these horrendous allergies which when we refer to them we would be heavily reprimanded and corrected and told they were not allergies they were sensitivities. (laughs) You know there was a brilliant way of sort of smoothing over things.

G: Right. Right. He continued to wear clothes when he was stark naked. Right.

S: Oh, yes. Yes, of course.

G: And we all did that in our own mind, and we all stopped ourselves from thinking critical thoughts of L. Ron Hubbard. We really didn't do him much of a favor because he really was human in every way.

S: Yes. Do you feel that the mindset of the group of -- all of the adoration that L. Ron Hubbard received, contributed to his delusion? Or do you feel that he imposed the delusion upon the group? Or do you think it's kind of 50/50?

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G: There's no doubt that he was in control. And there's ... we did not control L. Ron Hubbard. And although he could have become the effect of his own lust for control, and his own greed and his own avarice, so he created his sycophants. And the effect of... often of what you create may not be that pleasant so he did create his own prison.

S: Ok. So now you contracted with Omar Garrison, am I correct, to do the writing of this book which you were researching?

G: Yeah, beginning in January, I collected up the materials from the Gilman Hot Springs property.

S: Several boxes of materials.

G: Right.

J: This was in '80 or '81?

G: '80, beginning of '80. And then shortly after that I moved them to Los Angeles and I began to add to them. I travelled around, travelled up and down the west coast and I bought collections, other people's collections of Hubbard materials. I interviewed a number of people, his other living relatives.

J: L. Ron Hubbard, Jr.?

G: Yeah.

J: His ex-wife?

S: Sarah Nordstrom. (sic)

G: No. No, I didn't talk to Sara. I talked to Sara after that project was over.

J: His daughter Alexis?

G: I spoke to her as well some time later. I spoke to his living aunt, living uncle.

J: That was his...

G: Yeah. It was good. Good. And they really saw him for what he was, as well. They knew him in a real manner. They knew that he was a big storyteller.

S: Now, at this time you're going around talking to these people and I presume verifying his various degrees and his education credentials, etc. And you're starting to see holes in these stories, right? At this point, it's still 1980, are you going, whoa. This guy's full of shit. Or are you going, oh, something's wrong here? Or -- I mean I know so many people within the church, despite the fact that these claims and the intros to these books and L. Ron Hubbard's past, you know, and he's been killed three times and come back to life and born of a Virgin Mother or whatever the hell it is, they consider that these things are factual. He was a war hero. He did have these degrees. And that the government with a conspiracy against Scientology has gone in an altered all this information. Do you know what I mean? It's like, to continue their own delusion of what was what.

Now, at this point in 1980 were you still buying the story or would you concerned, you know, in terms of the validity of any of that?

G: There were a couple of steps in the process. Initially, I just collected the documents. Then I began to see discrepancies. And although I saw discrepancies I continued to believe that what he was writing about himself and what he had been saying was the truth. And that the discrepancies could be explained in some manner. Additionally, if there are only a couple of discrepancies and they're minor discrepancies, who cares. But, through the process of the accumulation of the biographic archive, in my study of them, I began to see that it wasn't just a few isolated instances but, rather, that he had -- that lying had been his pattern and that that's what was true about him. What was true about him was that he was a liar and that he appeared to think that he could lie with impunity.

J: What lies did you see specifically that you could enumerate a few.

G: The ones which were significant to me were the ones I think which had been used to draw me into the organization and which had kept me in the organization for all that time, and they were not just used for that but used to create a mystic about him which you could not penetrate, could not question. It was significant ones. If he had been crippled and blinded during the 2nd World War. That he had cured himself with Dianetics. That it was a matter of medical record that he'd twice been pronounced dead. That he was a nuclear physicist. Those, to me, significant representations, I was able to show in his own documents, not the government's documents, but documents which he maintained in his own archive, that they were false.

J: Gerry, how did you feel when this came to light? I mean, you're a loyal Sea Org member. You have worked for the last ten years as a Sea Org member working night and day very hard, giving your all, complete dedication, sometimes 16, 18, 20 hours a day. How did you feel when you began to find these things out and they began to dawn on you that this man was a bigger liar than he was a purveyor a truth? This must have been the devastating thing to go through. You were loyal. There was probably no person any more loyal than you. You were one of the loyal Sea Org members.

G: Well, it was initially like I say, I just noted the discrepancies and carried on with my work. There came a time when my mind began to open. I began to see, and I began to question. That period of time was also a period of great confusion. There was also a period of time of some loneliness because there really was no one to talk to because I couldn't go to someone with a critical thought. I could not -- you could not talk and say the things that I had to say inside the organization.

Then there came a period of time in the fall of 1980. I actually had tried a couple of times. I'd gone to Laurel with some discrepancies, cause Laurel had been his public relations officer for many years. She knew the story. And I was saying, "Laurel, this isn't true. We can't say that." Well she got really angry at me and silenced me. So I learned to not say anything.

But there were a couple of points. One of them was contracting with Omar Garrison. And Garrison had a couple of very pro-Scientology books prior to my coming on the scene although he was not a Scientologist..

S: He was a huge ally of the church, in fact ...

G: He was a huge ally so again even with Garrison I couldn't just say, "Hey, Omar, you know, check this out. It's bullshit!"

S: I've connected the dots and it's scary.

G: Right. Now, it was a gradual thing with him, too. I would give him material and then we'd talk about it. Gradually I began to see that Omar understood, and Omar was an ally of mine, so we began to be able to talk freely. And that was another key to my getting out of the organization was... spending a lot of time with him, with his wife, travelling around the country in different situations outside the organization. And then going back into the organization and having that comparison all the time where you do, having the knowledge that I had, going into the organization and seeing the craziness inside and then going out of the organization and seeing that the representations the organization was making about the outside was another aspect of the big lie which was being run on us.

But, toward the end of my existence inside the organization, and also as I learned more I became, I guess, braver and braver and braver. You know, willing to stand up -- it didn't matter any more. You know, you want to kick me out of this organization? See you later.

But I was still there, still dedicated, so I developed something of a cause during my last few months inside the organization of attempting to get the organization -- and, of course, I knew it would get to Hubbard and it was sort of a challenge to him, but initially to get the organization to change what it was saying.

S: I remember that part very well.

G: And I critiqued a number of the dust jacket material and the "About the Author" sections of the various books, and we'd go through them and line by line say, "This isn't true, this isn't true." Here are the facts." This we don't know. We can't document that. It sounds like bullshit to me. And so, I did that with a number of pieces. And I think it actually had a good effect up to a certain point, because they did actually change them and tone down some of the hyperbole.

S: Now, didn't at that point you also feel -- this is per my recollection cause I was a PR at that time and worked pretty close with Laurel and -- didn't you feel that despite the fabrications and despite the inconsistencies that there was still value to Hubbard? I think I recalled something about, "Gerry said that we could still do a biography and just make it truthful and still..." -- because LRH had contributed so much, just do a truthful thing, and his contributions would stand on their own. You didn't need all this fabrication. And you sort of had platformed this campaign, right, where you went over like a pregnant polevaulter...

G: Right.

S: ...as I recall.

G: It really, I think, ran his accomplishments and the technology will have to stand on its own. If it's going to stand, it has to stand on its own. We can't hold it up with lies. That's the way I still feel about it and I think it has fallen on its own. I don't think that it's workable and I think that it's an enforced technology. But that's sometime later in my development.

S: Now, by this time, you and Terry were no longer married and you had remarried to Joyce Brown.

G: Right.

S: Was your relationship with your wife at this time, where you were very vulnerable and feeling alone, was that any solace to you?

G: Yeah. See, she came along in...

S: Another catch, dude. I mean she was such a doll-baby. She is such a doll-baby.

G: Yeah, she's a sweetheart. Initially, I'm working away on the biography project and she's up there in SMI, Scientology Missions International. And we connect. And you know what a Sea Org romance is like, you know. "Hey, gotta a weekend free, let's drive down to Tijuana and get married." You know it's that kind of a thing. I think I drove her down one week and got her a divorce and the next week got her -- married her, sort of.

But she was in much the same situation as I was, in, that, if you're free to talk to anyone inside the organization then, for one thing, the organization wouldn't be Scientology -- if people were free to talk it wouldn't be Scientology because that's the essence of Scientology is its lack of freedom. We at one point came to this realization that we could talk. So, just toward the end of our being inside the organization we formed something of a conspiracy of two. And so, knowing what we knew, and once I knew that I could talk to her and what she knew is she could talk to me, and we formed this little conspiracy...

J: It really wasn't a conspiracy though. It was open, honest communication.

S: Between a husband and wife.

G: Right, open and honest between us, but ....

S: But within the organization it would have been a conspiracy.

G: ...but conspiring to not let the organization know because they say you must talk open and freely to this sec checker but you can't talk open and freely to your spouse.

S: What?

G: That's the organizational paradonn. So we violated that because when it came to sec checking it was -- I mean she had to go through a sec check toward the end of our Sea Org experience and by that time, I mean, once you know that the whole thing is a scam, anybody can con a sec checker, because you have a certain altitude. Go ahead and ask a question. I don't care.

S: That's right.

G: You know, it doesn't read. There's no more belief in that meter. It's just a pack of garbage.

J: Are you saying that the E-Meter is not 100% effective?

G: The E-meter is at best a worthless, anti-religious artifact.

J: Thank you.

S: Don't sugarcoat it honey, give it to us straight, ok? I mean, you know, enough of this pussyfooting around stuff.

J: You feel pretty strongly about that, don't you Jerry?

S: Yeah.

G: No, it's ... irrelevant. It has no meaning. It has no value whatsoever.

J: I think the value that it has is the value that the person holding the cans has...

S: Infuses into it ...

J: Yeah, places upon it because of what he's been told or shown.

G: That's not the value. There may be some value in answering questions. There may be some value of looking into one's mind. And --

J: I agree with what you're saying. I don't disag.. I'm saying the value that it has to the organization, not to the person.

G: Oh, yes. It has the same kind of value that thumbscrews had in another era.

J: Yeah.

S: Now, Gerry, when you had all those documents and you had these boxes, did you not come across a lot of evidence in terms of not only inconsistencies in the fabrications that L. Ron Hubbard had presented to Scientology as a whole, but also things that made his past actually questionable in terms of maybe alcoholism or drug use or things that you came across that not only show him as someone who's made up these things, but showed a quite -- A man who was the antithesis of what had been presented.

G: Yeah. Yeah.

S: Tell us about that.

G: I began to see that his drug of choice in his later years were steroids. And he dosed himself with massive doses of testosterone and I remain convinced that that is what he used to keep an edge on his belligerence.

S: Interesting.

J: How did you come to find that out?

G: From his own writings.

J: Is there any way that we could look at those writings?

G: I don't know of any way of getting to them at this time.

J: Why? I know it's a simple question, but why?

G: Because the organization will not disgorge the true information which it has on Hubbard.

S: Do you think they've kept that information or do you think they've destroyed the information?

G: Both. So that there is certain aspects of what they've done and the criminal activity that they're involved in which they maintain and there're certain aspects of it which they destroy.

J: When you say the criminal activity they're involved in, do you think that the majority of Scientologists have any idea that that's going on?

S: The current Scientologists?

J: Yeah.

G: No.

S: Of course not.

J: Then?

G: When you talk about the majority -- the people at the top know.

J: Like David Miscavige and Norman Starkey and...

G: Yeah, and Gene Ingram? Sure. The people who control Scientology. And the lawyers. Oh, yeah, the Earle Cooleys of the world? Sure. They absolutely know that they're involved in criminal activity designed to destroy civil rights of the members of the organization and the lives of anyone they perceive as enemies.

J: Can you give me two examples of civil rights that Scientology has violated?

G: Freedom of association, freedom of speech, freedom of religion.

S: Just to name a few, honey.

J: Ok. Yeah. I mean, thanks because...

S: Gerry, keep going.

J: That sort of thing I think is important. Most people don't realize that that's what's going on. Most people have no idea that that's going on. Did you feel like you were manipulated while you were in there?

G: While I was in there I don't recall that the subject of manipulation crossed my mind. I don't think I could have allowed myself to think that I was being manipulated. But...

J: Did you ever feel that way?

G: I felt absolutely controlled. But my understanding of the manipulation, the coercion, comes later.

J: After one pulls back and views it from the outside.

G: Yeah, well, I mean, technically I was inside but I had really begun to deprogram myself and so...

J: Did you tie yourself up? I mean we all know about deprogrammings. You get tied up, and ...

S: ... sexually molest yourself.

J: Did you tie yourself up and sexually molest yourself?

G: Oh, I mean, deprogramming has to do with that subject of manipulation. While you're programmed you don't know that you are being manipulated. When you're deprogrammed you realize that you have been manipulated.

J: So in order to be deprogrammed, one has to be programmed.

G: Yeah.

J: Deprogramming doesn't work on somebody who hasn't been programmed.

G: I would think that's true.

J: Yeah. I would think so too. I would think so too.

G: Accepting the word and the definition.

J: When did you leave?

G: December '81.

J: Why?

G: It was time to go. (laughter)

J: Would you tell me a little bit more about that. I mean, I believe what you're saying but not everybody knows the Gerry Armstrong story. And I think a lot of people might be most interested.

G: Ok. Well, I came to the point I guess a couple of weeks prior to that and I had been very vocal on the subject of the lies, Hubbard's lies, the organization's lies and the organization's activities. And my vocalness had come to the attention of Norman Starkey. Norman Starkey at that time was on a mission operated by David Miscavige, the purpose of which was to take care of Hubbard's legal problems so that he could come out of hiding. And Starkey one day came into my area, Hubbard archives area, and we had a conversation. And he accused me of saying things about Hubbard which were untrue. And one of the things he said was, Hubbard -- he wanted, Starkey wanted, to charge the PRs through the ages with creating the lies which I have documented.

S: Well... now hadn't that happened to a large extent? Did Lizzie and Laurel -- for a period of time, I don't know what happened to the whole thing, but they took the fall that they had made it up and they had written these falsehoods about L. Ron Hubbard.

G: But they weren't around in 1950 and 1952 and 1965...

S: No, but they were the ones who -- they had written down the biographical information on L. Ron Hubbard, how it was dictated to them by L. Ron Hubbard, per my recollection.

G: But they were not there. If you look at -- what's the book on the atom bomb, the nuclear physicist's book -- "All About Radiation". If you look at that book and if you look at the bulletins that were written in that era it says, L. Ron Hubbard, a nuclear physicist. Lizzie wasn't there. Laurel wasn't there.

S: That's true. That's so true.

G: How can you say -- I mean, it's like one thing to make those people scape goats, but those people weren't there in '56. Laurel wasn't old enough to be there in '56. She was in our generation. I mean, you know, we're the 60's. We're the baby boomers.

S: Lizzie certainly wasn't there, either.

G: Anyway, what I did was show Starkey in Hubbard's handwriting where he had called himself a nuclear physicist and Starkey just went silent and he stormed out. And a short time later I was called down to Gilman Hot Springs.

J: Do you think he had a major ARC break?

G: No, I think that he recognized that everything that he had put his life into for so many years and had done so many rotten things and attacked so many people in defense of. That he saw that that hung in the balance and he had to go one way or another. So he chose to close his mind. And he wrote to the ... one of the executives of La Quinta ... Gilman Hot Springs and requested that I be sec checked.

J: This is the Golden Ere Studios, or Golden Era Studios.

G: Right, but at that time -- I'm not sure what it is now.

S: No, cause it's at Gilman's.

G: CMO headquarters...

S: This is at La Quinta.

G: No, this is Gilman.

S: Oh, this is Gilman, ok.

G: Yeah, this is -- CMO headquarters, in any case. And so I went -- I was called to Gilman and I spoke to Cirrus Slepp. And she asked me about -- she actually showed me Starkey's report on me. And I said that I -- you know I was quite open with her.

S: Now Starkey reported that you had fabricated this information?

G: No, Starkey reported that I was criticizing Hubbard and he wanted to find out what I had been saying and what documents I had been giving to Omar Garrison because I'm working closely with Garrison, and if I'm giving Garrison documents showing that L. Ron Hubbard claimed to be a nuclear physicist and L. Ron Hubbard lied about being a nuclear physicist and Starkey knew about many more lies...

J: The cat would be out of the bag.

G: Right. So he wanted -- they wanted to keep a lid on it. Cause his job, of course, is to continue the myth of L. Ron Hubbard. Starkey's put a whole life into doing that. He's dedicated to that illusion.

J: Starkey got into Scientology in the 60's in South Africa. So he's been in a long time, probably 30 years.

G: Yeah

J: That's a long time to put in. It's at that point 20 years.

G: Right. And he was in a position of power. And he liked those positions of power. And this is, of course, some kind of a threat. I mean, here's just some guy down there making all kinds of noise and essentially calling L. Ron Hubbard a liar.

J: You know, one of things that always... I'd always thought about in Scientology was the is-ness, as-is-ness, alter-is-ness and not-is-ness. It says in order for something to survive or continue there has to be a lie in it. And the question that always came to my mind -- the first question that always came to my mind is, for Scientology to continue it must have a lie because it says so right here. In order for anything to continue it has to have a lie. So I always wondered what the lie in Scientology was.

G: The lie is that is Hubbard's philosophy. Hubbard's philosophy is flawed. It is a corrupt, dishonest philosophy. And he was a corrupt and dishonest man.

J: You must hate his guts. You must hate his guts for a person who's ... for a person who's been loyal...

G: That which will survive is that which can never be altered. That which is altered and that which is hence unreal, that which is a lie, will not persist. Now you can try and Hubbard can try but you will not get lies to persist.

J: That's true because there's always some truth under there and they'll pull the truth out and it's fixed full of lies.

G: The truth will be there no matter what you do with it.

J: We need to go eat lunch, or dinner?

G: Oh, ok.

J: So I think that you have an appointment.

G: Yeah.

J: Before we do that, let me ask you two quick questions.

G: Ok.

J: You left in '81.

G: Right.

J: You were sued in '84.

G: '82.

J: '82.

S: Jerry?

J: It went to trial in '84.

G: Right.

S: We should just pick this up, because...

J: We will.

S: Ok, I just wanted ...

J: We will. But, I just want to get this on here. They lost the suit against you.

G: Right.

J: In '86.

S: Big time.

J: In '86. They sued you in '82. Went to trial in '84. In '86 they settled out of court with you.

G: Right.

J: For hundreds of thousands of dollars, if my sources are correct, and you don't need to verify ... or hints at all, if you can let us -- if you want to, it's fine. But there's no reason to give anything. If my sources have been correct you got $800,000. You -- Scientology paid you $800,000 because you knew the truth about L. Ron Hubbard. You knew the truth. And you have been harrassed and you've followed. You've been lied about. You've had people watch you 24 hours a day for weeks on end. You've had to go through extreme mental pressure today, yesterday, even. Gene Ingram says things to you like, "Gosh, Gerry, you look like you have AIDS," when in fact you're a very healthy person and you're a marathon runner. And it's...

G: Right.

J: Settlement aside, but, these other things are correct.

G: Right.

J: These guys are still harrassing you.

G: Right.

J: And you were a loyal, loyal, Sea Org member. Never in your wildest dreams did you think, when you got into Scientology, and you dedicated your life to this, if ever they had put you in this position.

G: Right.

J: Thanks. Can we continue this?

G: Yeah.

J: Thanks.

G: Thank you.

[RESUME TAPING]

S: Hi Gerry, you left in '81.

G: Right, December '81.

S: Can you tell me what led up to your departure from Scientology?

G: Sure. I had come to the conclusion at the end of '81 that the organization was not going to reform its ways, it was not going to correct the lies L. Ron Hubbard had told about himself. L. Ron Hubbard was not going to correct the lies he'd been telling about himself. The organization was not going to change its -- what I considered -- criminal and anti-social behavior. And I knew that my days were numbered, that I could not continue to be in the organization taking the stand that I had been taking, being vocal on the subject of Hubbard's lies. So I really was faced with only one choice to make and that was to leave. So, I carefully, cautiously, and over a period of a week or ten days removed my few belongings and my wife's few belongings out of the building and we cleaned our living space before we left. Left the few pieces of Sea Org uniform that I had, and we drove away.

S: I see. Now didn't you at this time do something rather brazen which is like -- didn't you keep some of the documentation for some period of time and send copies to the church or vice versa kept copies and sent stuff back to the church?

G: No.

S: No?

G: No, I didn't. I worked very diligently and my wife Joyce -- and Jocyln -- worked very diligently for the last couple of weeks copying whatever we could copy of the documents which I had in archives, many of which I had already copied and already provided to Omar Garrison, but I was dedicated to Garrison. I sensed, or knew, that whoever took over the biography project after I left, and I assumed that it was going to be Vaughn Young, because he'd been working with me on the project at that time and it was my expectation that he was going to take over the project, that the organization once I left would not allow Garrison the access to the materials that I had so my dedication to him, my dedication to the biography project and my dedication to the attempt to bring to light the truth brought me to copy everything I could, and what I couldn't copy and all the copies that I had remaining, I took to Garrison at the end. So I provided them to Garrison and then Joyce and I drove up to Canada. And at that time we were completely documentless. I did not have any documents. Didn't do anything with the documents for a period of time.

There came a time some months later because I began to work for Garrison outside the organization that I, at his request, copied a lot of the copies which I had given to him because he wanted to set up a separate archives because he felt that the organization was going to burglarize his place and steal the materials that I had provided to him.

So, that second set of materials was what I then provided to Mike Flynn, or sent to Mike Flynn, after I knew that the war with the organization had started, in the spring of 1982.

So, the organization's claim that I stole all these documents -- that's simply not true. I was under contract to provide the documents that I could to Garrison and I performed pursuant to that contract. It was only as a result of the organization's declaring me an enemy -- I knew that I was then fair game. I knew that the battle had been engaged. And I took it as what was the only sane thing to do. Anticipating a legal battle. In fact I was told to get a lawyer. I did.

I got Mike Flynn.

S: Okay. And so, then, how did it progress from that point, the legal battle?

G: Through the spring of '80 -- late spring of '82 and into the summer I provided sets of documents as I was able to get them from Garrison and copy them. I sent them to Mike Flynn. Some of the documents that I sent were some of the originals which I had provided to Garrison.

Some of the originals I provided to Garrison because he needed, or, we felt, that it was very good to have originals because he was considering including copies, photographs of the original documents in the biography, some of the things which were in Hubbard's handwriting and on the original paper would have been great included in the biography. So some of them he had for that reason. Some of them he had because I just didn't have time to copy them. It was our intention that Garrison would copy them and he'd provide -- give the originals back to the organization.

But some of the documents were originals, but most of them were copies which I provided to Flynn.

S: Now up to this point Mr. Garrison had been, as you'd stated before, an ally of the church. And Did he also -- was he becoming disillusioned with all this newly discovered information?

G: I think he was -- he wasn't probably as illusioned as I thought he was. He really was an intelligent man living on the outside of Scientology, and had provided as a writer a service for them in doing the books that he'd done. But he thought his own thoughts and he was independent of Scientology. And he is a -- he's a fighter in his own way, so he had already had his own battles with Scientology just to arrive at the products that he'd done.

So it came to him as really no surprise. And It was a surprise to me that it was no surprise to him. He was pretty real about the whole thing. But, he did begin to understand that he had possession of very sensitive documents and that the organization would then consider him, if not an enemy, certainly a major security threat in that he possessed these very sensitive documents.

S: Okay. So, you went to court. The Church filed suit against you, am I correct?

G: Yeah. August '82.

S: You countersued.

G: Right.

S: This was a big suit. I mean this was well covered in the LA Times. This was like a very big, visible suit. Can you tell me how that progressed and what the outcome was? And who all was involved?

G: Sure. They sued me in August of 1982 seeking to recover the documents which I had sent to Mike Flynn, and seeking damages. And the causes of action were conversion. They considered that my providing -- initially they claimed that my providing the documents to Omar Garrison was conversion because they did not know at that point that I had retained a copy of the contract to show that Garrison legitimately had the documents and that I legitimately had given Garrison the documents.

I defended the suit initially by stating that the documents were not the organization's documents but were L. Ron Hubbard's documents and L. Ron Hubbard should bring the lawsuit but L. Ron Hubbard would not come out of hiding, and he was afraid to come into court. So then Mary Sue Hubbard intervened on his behalf. And she claimed a proprietary interest in the documents.

That was the initial stage of the lawsuit. The judge in Superior Court -- I think it was Judge Coale, then ordered the documents which I had provided to Mike Flynn and to my other lawyers Contos and Bunch in Woodland Hills -- he ordered those documents be delivered to the court and they stayed within the possession of the court through the lawsuit, through the pendency of the lawsuit up until the time of settlement which was December 1986.

So, they initially sued me, and then I filed a counterclaim for the intentional infliction of emotional distress and for fraud. That then, the two cases were bifurcated -- they were split apart so that initially all that got tried at my trial, at the Breckenridge trial in the spring of 1984 was their lawsuit against me. And out of that came the famous Breckenridge decision in which he found that because of my knowledge of fair game, of organization intelligence operations and of the fraud of L. Ron Hubbard that I was justified in going to Garrison, getting the documents that I knew about and sending them to my lawyer. So ... That was the result of that trial.

My case against them...

S: Was that a jury trial?

G: No, judge trial. My case against them did not go to trial because that was settled. It was scheduled to go to trial. At one time in December of '86, then in early 1987. And in large part because it was scheduled to go to trial the organization settled it.

S: Now I know a lot of other executives at the time sort of -- I wouldn't say rallied around you, but, but, came to witness against the Church during this time.

G: Right.

S: And that was a big thing at the time, right, because these were some of the senior most executives of the church.

G: Uh huh. Laurel Sullivan who'd been Hubbard's public relations officer whose history went back with him through the Sea Org. Bill -- sorry, Bill Franks wasn't there. Homer Schomer. Eddie Walters.

S: Kima, didn't Kima..

G: Kima testified. Nancy Dincalci. So a number of them were, really my friends. People who I'd known inside the organization and outside the organization. A group of friends who were quite close to me and who had the courage to come forward and testify.

S: That's great. Now, your suit settled and -- bring us up to date to this point as well as how you feel retrospectively about the whole situation, what, you know, what would like to do now, are you under a gag order presently? Are you not?

G: I'll give you the history.

S: Ok.

G: So in, From 1984 after the Breckenridge decision there were a series of events -- operations that the organization mounted against me to compromise me, to set me up, to get me charged with false criminal charges, any number of things. The onslaught...

S: 1984, that was during the trial -- during your case or prior to your case or after your case?

G: They began before -- in 1982 they had PIs on me, I was assaulted, I was driven into. They tried to get me in a highway accident. They harrassed me day and night for well over a month. Then as a result of the court's comment about this kind of activity, they backed off. They kept up the legal onslaught and they deposed me in any number of cases and within my own case. And they ran operations against me. You okay?

S: Yeah.

G: But it was really after my trial in 1984 when they escalated the war. They sent around my friend Dan Sherman. You may know him. And I liked Dan. We were really close. And we hung out a lot. But the whole thing was an operation to get Dan close to me so that I could be set up. And what they tried to do through Dan was to convey to me the idea that there was a group of people inside the organization who wanted to reform it, who wanted to get rid of the criminal element at the top of the organization and have it revert to its pre-Guardian's Office, pre-criminal days. Get rid of the criminality.

S: Now, so at this point, were you supportive of that effort, on Danny's part?

G: Well, at first all it was was him telling me that there was this group of people and then he would send me messages from them. And then gradually I built up a relationship with them. These people claimed to be a core group of 35 people inside the organization who were working covertly because of their fear that should it become known that they wanted to reform the organization they said they were afraid for their lives.

S: So at this point despite everything you knew about Hubbard you must have had some faith in the technology of Scientology. Or am I wrong? Am I mistaken? I mean if you thought well we can restore this organization to its original intention to be, you know, this may be humanitarian group or maybe this ...

GA: No. No, it's more like downstairs here there could be any number of Catholics, Protestants, Jews or whatever, but I support the cause that they're involved in. It's that sort of way. I did not consider myself a Scientologist, but, if Scientologists want to continue to be Scientologists and at the same time clean up the criminal element in the organization I can support that without myself being a Scientologist. So I supported their intention of reforming the organization. And I didn't know who they were. I'd never spoken to them so it was sort of a support from a distance -- there was nothing to do. He was relaying this information to me.

Then they initiated a dialogue with me. They wanted to communicate with me. And they would send messages via Dan, the message that they really respected me for what I did, the integrity that I showed during the trial, and so on. I got a phone call one night from one of these guys just after the trial and just the day before I was to fly to London to testify in the child custody case, the one that Jolly West quoted from today, the Latey decision came out of that trial. I went over there and testified. Well the night before I received a telephone call from one of these people claiming to be one of the 35 Loyalists. And he said, "We can get your pc folders. We know you want your pc folders. We can get them for you." "Oh, ok. What do I have to do?" "Oh, well you'll have to drive to a certain place in Los Angeles..."

S: Griffith Park.

G: No, this was a different -- I never went, I never bit. I never rose to the bait on that occasion. I said, "Well, to me this could be construed as accepting stolen property and it also could be an attempt to get ... to stop me, because of the times that were involved, to stop me from flying to London, cause they did not want me testifying in the trial. I said, "As much as I'd like the pc folders I can't do it." In any case I flew to London and testified. There, in London, I was harrassed at Heathrow Airport by private investigators. And they, in fact, wrote sworn affidavits that I was observed passing sealed documents to a bearded Arab in the Old Cock Tavern, pardon me, on a particular Tuesday night. I had in fact been at the Old Cock Tavern for lunch on the day previous but I was not there now on a Tuesday night. And the whole thing was concocted, but that's true to form of Scientology, you know, manufacture evidence. So they ... a Scientology operative will swear to anything. The fact that it's a sworn affidavit doesn't mean anything. But it was just another piece of the ongoing operation to compromise and set me up.

I returned to the U.S. and then I was contacted by two people. One of them was David Kluge, who I only knew at that time as Joey. And the other one was Mike Rinder, who I'd known from inside the organization in the Sea Org. And both of them -- and all of this was video taped, illegally, covertly, by Gene Ingram. And I didn't know at the time and I talked to them like I ...

S: This was the meeting in the park.

G: Right.

S: The famous meeting in the park.

G: Right. And there were a series of meetings in the park but I talked to them like I talk to you and I -- you know my language was atrocious. I made bad jokes. Just rotten. I had a foul mouth at the time. But I was also -- you know, I mean, I could pick up that there was something weird going on because what they would tell me off camera seemed to be so different from the questions that they're now we're sitting on a park bench and they're talking to me. And I'm ... was completely open about the whole thing, but I also knew that there was something weird about it so a lot of what I'm saying on the video tape reflects that aspect of the thoughts that are going through my mind about how strange this is.

But there are some really funny things that occurred. If you've never seen the videos, they're very, very funny.

S: You know, I on't know, Gerry, that the videos were ever shown. What I do know is that a transcript of these meetings was published in Freedom News Journal.

G: Right. A part, part of it.

S: In part. But it was very interestingly written because it would say -- it would have a quote and it might be a sentence, and then it would say, "And then he said..." and the rest was all just like editorialized, "And then he said this and this and de-de-de-de-de-de-de-de-de." And then there'll be another quote. And I thought, "Well, if he said these things why didn't you just publish the dialogue? Why are you giving me your interpretation of what he actually said?"

J: True to form.

S: Of course. It amused me. I was still involved in Scientology. Still a believer. I saw this. I have to tell you, this shook me, cause I went, "This is nuts." Who could ever believe this article? And I was truly, truly committed to the organization at this point. But it really made me go, "Please, this so discredits them. Why would they do this this way?"

G: When they first broke the videos in 1985 up in the Christofferson trial, before they were shown to the jury the judge viewed the first two videos. And he viewed them in his chambers, then he came back out and he said, "These are very damaging, damaging to the church." Right. And they polled the jury after the trial. And they said that the video tapes of me only proved one thing. And that was that fair game was alive and well in 1985.

So, the Scientologists are so blinded. Here's the way I think it went down. People are reporting to Hubbard through this time that they have an intelligence connection to Armstrong. And Hubbard hates Armstrong, you know, cause I've been saying all these things. And they've been telling him that I took the documents.

S: Pull back the curtain.

G: I mean, out of what I did came the Breckenridge decision which stated, "This guy is a paranoid, schizophrenic." I mean just the worst thing that he ever wanted to hear. But true.

But they -- the organization could never tell Hubbard the truth. And Hubbard could never hear the truth, so there's a perfect situation there for Hubbard to get partial truth and it always happened inside the organization, then he would issue an order. He would issue an order, in this case, like, "Get that into evidence. That'll destroy Armstrong." Because they're telling him, "We've got video tapes of Armstrong saying 'this,' and of course, they take one line out of context." But that's the big win that they want to convey uplines to Hubbard.

And of course, Hubbard doesn't get the whole picture, but now he has issued an order. And now they have to jump through the hoops to get those video tapes -- illegally taken, and the judge stated up in Oregon, these things are illegal. But they fought to get them in. And after the judge said they're damaging against the church, does anyone care? I had to go through the incredible embarrassment of my foul mouth, and I didn't know, you know, did I pick my nose, you know -- how did I? You know there's four hours of video tape I was just -- I was a total jerk.

S: (Laughter)

G: But I understood after a while I really -- it was terrible to me. Up in the Christofferson trial. When I knew that my friend, Dan Sherman had set me up, that the whole thing was a set-up, that they'd video-taped all of this stuff, the betrayal was so awful to me. I was suicidal for just days. I walked out of the courtroom. The judge got rid of the jury, sent everyone home, and he was busy watching these things in there. And I'm sitting, I'm alone out there in the courtroom for an hour and then someone, one of the Scinos' lawyers walked in and made some complaint about me even staying in the courtroom and so I walked outside.

And we were on the third floor of the courthouse. And there was, you know, the stairs came up like this onto the third floor and then they went around like that so there were two places where you could look down three floors onto the marble floor below. It looked just hard enough that it would do the job, just smack! I really considered it for a long time. I walked over to the railing of one of these areas and I looked down, and I was just contemplating just ending it right there. Then I realized that down below was a set of pay phones and that, you know, someone crossed over there to the payphone and I realized, you know, here I go to end it all and I take some innocent guy out walking to the payphones, so I couldn't do that so I walked over to the other one, thinking well, you know, here's an opportunity. And there was a bank of Coke machines. And so, you know, just out to save some other poor guy, I didn't take my own life at the time.

But it was horrible. I just ... I came just so close. And I... My heart -- there was incredible pain. One night I just couldn't sleep and there was this pain and I just couldn't breathe. Awful! It went on for some days over a weekend and then into the next week. I think they had me on the stand for 10 days, 7 or 8 of which were cross-examination with the great Earle the pearl Cooley. Anyway ...

So that's what happened in 1985 and they just continued after that. Then they culled my pc folders. And they sent all the most scurrilous stuff out of my pc folders. And they put that ... filed the stuff in my case in LA Superior Court.

S: Well, you had to have of known that that was going to happen.

G: Well, I mean, you get a sense but you really can't believe it until you see it. And then you can't believe the twists that they and their lawyers put on it. You know and there was this dream I had. I had a dream up in Portland in '85 and I sent it... I've had very few memorable dreams in my life and only one or two of them have I ever written down. And this one was so vivid and so memorable that I wrote it down. And I wrote it, I think, very concisely. It was some of my very best literature because it is really tight and really good. It's also really foul. The language and the concepts are just grotesque. But it was a great dream. And I sent it to Dan Sherman because he's my literary buddy. It ends up the Scinos get it and they got that! And they want to put that into evidence in the ... the Christofferson trial!

That one, that one followed me this last year it showed up in Johannesburg in South Africa. The organization provided it to their lawyers over there to attack me with. A dream! And they twisted that -- that the fact that I had a dream was the proof of what a perverse, distorted guy I was. Anyway...

So, there was a series of things. When I first arrived in Boston, in September of '85, well October '85, they brought criminal, they attempted to bring criminal charges against me with the FBI for impersonating an FBI officer. Five times they brought either flat out criminal, or quasi-criminal contempt charges against me. And they tried the same thing in Marin County.

S: Gerry, let me stop you here for a minute. What motivates you. I mean, why on earth wouldn't you say, "I did this. I messed up. I made a wrong choice. I'm just going to go away now. And have my life and just ... you know, I have my wife and I have our birds or..." whatever you guys had at the time. I don't remember. I used to get Christmas cards from you guys -- I think you had birds or cats or something.

G: Yeah! We had birds. That little guy could talk.

S: Nicky?

G: Mikey.

S: Mikey.

G: Right!

S: That's right.

G: Anyway, there was a period of time, December '86. It was the time of the settlement. And we'll get back to the settlement in a minute.

I felt that I really could get on with my life. And I could do a number of other things. I began to, I mean I'd always written, but I wrote seriously. I drew seriously. I spent a lot of time doing my things. I had my own life. And I maintained communication with my friends you know, who I did not disconnect as a result of the settlement. The organization may have felt that I should have or had to or that I was contracted to but I didn't do that. But I really had my own life and I wasn't involved in anyone's litigation. And I didn't have to do anything about them for a period of time.

But the organization couldn't quit. They couldn't let the Breckenridge decision stand. They couldn't let my image stand, whatever I represented to them so they continued their attack. They continued in a false -- what they call a Dead Agent pack that they put out against Bent Corydon in 1987. They did it in the Russell Miller case, in London in 1987. They filed 8 absolutely false, scurrilous affidavits regarding me, specific to me in that case.

S: And this was post-settlement agreement.

G: Post-settlement agreement. Gene Ingram provided an edited version of the video tapes -- the illegal video tapes to the London Sunday Times.

S: Now let me ask you something? In this settlement agreement, does it clearly state that this was not allowed? In the settlement agreement? I mean, were they thus in violation of the settlement agreement?

G: In my opinion, yes! Because the settlement agreement, unless it worked two ways, didn't work at all. But if it was only one-way, then they relieved me of any duty to perform by their doing that. In other words, they cannot -- if the settlement agreement is only a lop-sided, one-sided settlement agreement, that's fine! I honor it and I'm silent. And I don't do anything to violate it. Then everything works fine as long as they don't. But as soon as they, in a new, as they would say, unit of time do something, I clearly have the constitutional right to respond and speak out. They waived the right. They had to remain silent whether it said they had to remain silent or not. Additionally --

S: Did it say? That they did? I mean, was it one of those agreements that Okay, we're just going to both let by-gones be by-gones?

G: That's exactly the words in it, yes! Anyone would interpret it that way. And anyone did. But they interpret it by saying --

S: You should let bygones be bygones and get over it but they didn't have to.

G: Not only that! That they have a right to say whatever they want and I must remain silent even if they can say that I was an ax murderer. And I must remain silent? It doesn't work. But not only that, I realized that my silence was in fact an obstruction of justice. Because all of those people who depended on my testimony, and I have great testimony regarding the fraud of Scientology, was vital to anyone who'd been defrauded by Scientology. So I felt that I really have a right and a duty now to stand up to the organization. I did not --

S: So you were feeling like you were getting over it and you wanted to leave it alone and you wanted to get ahold of your life, for a period of time until they began to lash out at you, at which point you said, "Hey, I don't need to lay down, for you to run over me."

G: Well, there was a series of -- even though they published the Corydon Dead Agent pack, even though they published the material in the Russell Miller case in 1987, shortly after the settlement agreement, I didn't do anything. And I didn't do anything until I got a series of telephone calls from Larry Heller, organization attorney threatening me with law -- with being sued if I were to even testify pursuant to a subpoena. So I knew at this point, "This has gone too far." And what happened was I was subpoena'd to testify in a deposition in the Bent Corydon case. Toby Plevin subpoenaed me. Now I had maintained some communication with Bent because he is my friend. I had not assisted him in any way in his litigation because I had agreed not to do that but I knew that if he subpoenaed me, that that was senior to whatever settlement agreement existed.

Another aspect of the settlement agreement that you should know, was that I was told before signing it by my lawyer, Mike Flynn, that it was "not worth the paper it's printed on. You do not have to obey this. It cannot be enforced." So I signed in large part because Mike Flynn said that.

Now, in addition to that, Mike Flynn had told me through time -- and I had grown to understand that 1) the organization had attempted to assassinate him 2) it had destroyed his marriage and 3) he had to get out of the litigation for those reasons. So I was faced with, if I don't sign, then all of these other people don't get to settle, my lawyer can't get out of the litigation, it's going to go on forever, and in addition to that, I've been told by my own lawyer it's unenforceable, it's not worth the paper it's printed on. So sure, I'll go ahead and sign this thing and I will even attempt to honor it knowing that the only hope for a settlement with that organization is if they do change their spots if they do indeed turn over a new leaf, and if they do indeed repudiate fair game. They haven't done it. Hence we now are again locked in battle.

S: Now what is your present litigation with the Church of Scientology?

G: They brought a lawsuit to attempt to enforce the settlement agreement. Out of it ... in May of this last year, there was a hearing here in Los Angeles, in Superior Court, in front of Judge Sohigian. The organization claims that they got a great big win out of it and that I am enjoined pursuant to the settlement agreement. Not true! Judge specifically said that he would not enforce the settlement agreement other than one very narrow issue. The very narrow issue is that I cannot except pursuant to a subpoena, assist someone intending to file a claim or pressing a claim against the organization. Now that we are appealing even that narrow ruling, because that's unenforceable because if you construe that my... that this video could possibly indirectly help someone in the future, I can't do this. And not only that but if you consider that my existence indirectly or directly helps someone, then I am obliged to take my own life. In other words then I must stop breathing. It's unenforceable hence I feel that I am completely at liberty to associate with whomever I want, to talk to whomever I want, and I act in life that way.

And that is in part why I am here at this event now, why I came to the CAN Conference.

S: OK, so what are your further plans? I mean, you're doing great, now. You've got this luxurious long hair.

G: I want to run a 236 marathon.

S: 236 what? 236 yards?

G: 2 hour and 36 minutes marathon. And I want to..

S: That's what you do, you run.

G: I run. So I want to do that. And I want to end the litigation and I want, you know, peace for everyone. I want to reform the economic system of the world and that's mainly it. I don't have any designs on the U.S. presidency.

S: Presently.

G: No, I can't have, I'm Canadian.

S: Oh, That's right.

G: OK are we done here?

End of Tape.

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April 28, 1993

Gerald Armstrong
c/o HUB LAW OFFICES
711 Sir Frances Drake Blvd.
San Anselmo, CA 94960-1949

BY TELEFAX AND U.S. MAIL

Re: Your Appearance on KFAX Radio

Dear Mr. Armstrong;

I have just been informed that you are scheduled to appear on KFAX radio in the San Francisco area at 5:00 p.m. today on the "Life Line" show and that the topic to be discussed is "the inner workings of Scientology".

This letter serves to put you on notice that your appearance on this show as described would constitute a violation of the Settlement Agreement which you signed with the Church of Scientology International on December 6, 1986. You agreed on that date to forgo, inter alia, future media appearances, in exchange for a substantial sum of money. Specifically, such an appearance would be a violation of paragraph 7D of the Agreement and will subject you to the liquidated damages provision in that paragraph.

Should you appear on this radio show in violation of the Agreement, the Church of Scientology International will pursue all remedies within the judicial system to obtain damages for the violation and/or to enjoin any future violations of a similar nature. It is my sincere hope and expectation that no one will attempt to induce you to further breach your contractual obligations to the Church of Scientology International by permitting you to appear as scheduled.

Very truly yours,

/S/

Laurie J. Bartilson

May 3, 1993

Laurie J. Bartilson, Esquire
Bowles & Moxon
6255 Sunset Boulevard
Suite 2000
Los Angeles, CA 90028

Dear Ms. Bartilson:

This is in response to your fax letter of April 28, 1993.

You are in error in your interpretation of the December 6, 1986 settlement agreement. I did not agree on that date to forgo future media appearances for a substantial sum of money. I agreed on that date to dismiss my action for fraud, intentional infliction of emotional distress, libel, breach of contract, and tortious interference with contract against your organization for, inter alia, a substantial sum of money.

As you know I would not agree on that date to forgo media appearances, to not speak out against your organization's criminal activities, to not publish and to not communicate my experiences inside the organization, for any sum of money. Only when my lawyer assured me that those prohibitions in the settlement agreement were "not worth the paper they're printed on," and after your organization promised to end its antisocial, tortious and criminal activities, did I agree to sign the agreement.

Thus, I agreed to not speak out, to not publish and not do media appearances, for no money whatsoever. Your continuing libel that I so agreed for "a substantial sum of money," or any money at all, is simply part of your ""fair" game doctrine," which here takes the form of what L. Ron Hubbard called a black propaganda campaign to make me appear to have sold out for money; or in your terminology to position me as a whore.

I agreed to not speak, publish or appear in order to give your organization the opportunity it said it needed to change its antisocial ways. Since you did not avail yourselves of this opportunity, but used my peace gesture as an opportunity instead for more fair game, you are finding yourselves having to face the same situation you faced in 1986.

It is exactly your continuing calumny that I sold out for money, in addition to all the other post-settlement attacks by your organization in breach of the settlement agreement, and its reneging on its promise to end fair game and its other antisocial policies and practices directed at innocent individuals, that now brings me to do media appearances on the subject of your organization's fraud, fair game and irreligion.

Your threat that you will subject me to the liquidated damages provision of the settlement agreement for appearing on KFAX is obscene. Even its inclusion in the settlement agreement; that is $50,000.00 per word I write or speak about your organization is obscene. You embarrass all those Scientologists of good will who slave for your organization, whose money you squander, and in whose name you make such hollow and debased threats.

Your threat directed at KFAX that they would become the target of your pathologically litigious organization for inducing me to breach my "contractual obligations," although equally empty, is certainly reflective of the organization's anti-religious nature; that is, its reliance on lies, lawyers, intimidation, and bluster to achieve its unholy ends.

As you know, I am permitted by Judge Sohigian's May 28, 1992 injunction, unappealed by your organization, to make media appearances such as the one scheduled at KFAX. As you also know, Judge Horowitz on March 23, 1993 stayed all proceedings in the case of Church of Scientology International v. Gerald Armstrong, Los Angeles Superior Court Case No. BC 052395. This has the effect as well of staying the injunction; therefore I am not constrained even by the narrow prohibitions of Judge Sohigian's ruling. And therefore I am as free as any other person in this free nation to speak, write and appear as I am so guided.

And I urge you therefore to communicate to KFAX and withdraw your threat of litigation. I also urge you to rethink your attack lines on me and the other litigants who settled our claims against you. To position us as whores, when we attempted to free you from your past is really silly because it only frees us to say, as graphically as literature allows, what that past was that we would free you from, but which your organization, by its actions, insists we bring to the light of truth.

There is no denying that there is a great deal of public interest in your organization and its antisocial practices in which I have a great deal of experience and expertise. Once your organization repudiates its antisocial practices, of course, I will have nothing more to say about them. In the meantime I will try with all my might to do what I am called to do; and an aspect of that is to speak out against your irreligious organization's threats to religion.

Religion will not be threatened. Do not waste your time. There is wisdom. It is not, however, in fair game, in settlement agreements, in attacks on your innocent brothers, in the lies of L. Ron Hubbard, or in stupidity, even if it's given a name suggesting sapience like Scientology.

I expect to be doing various media appearances in the near future and talks to various groups, including one I have already agreed to with a university psychology class. I think it would be very beneficial, therefore, to resolve our differences as soon as possible by your organization's clear repudiation of its antisocial policies and practices, so that I can have good things to report at these talks.

With a great hope for peace for all, I remain, yours sincerely,

Gerald Armstrong
C/O Hub Law Offices
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San Anselmo, CA 94960
(415)258-0360

:ga

cc: Ford Greene, Esquire
Paul Morantz, Esquire
(without enclosures)

cc: KFAX
Los Angeles Times
San Francisco Chronicle
San Francisco Examiner
Marin Independent Journal
Time Magazine
(all with cc Bartilson 4/28/93 letter; cc 3/23/93 stay order)

Scientology in the Schools

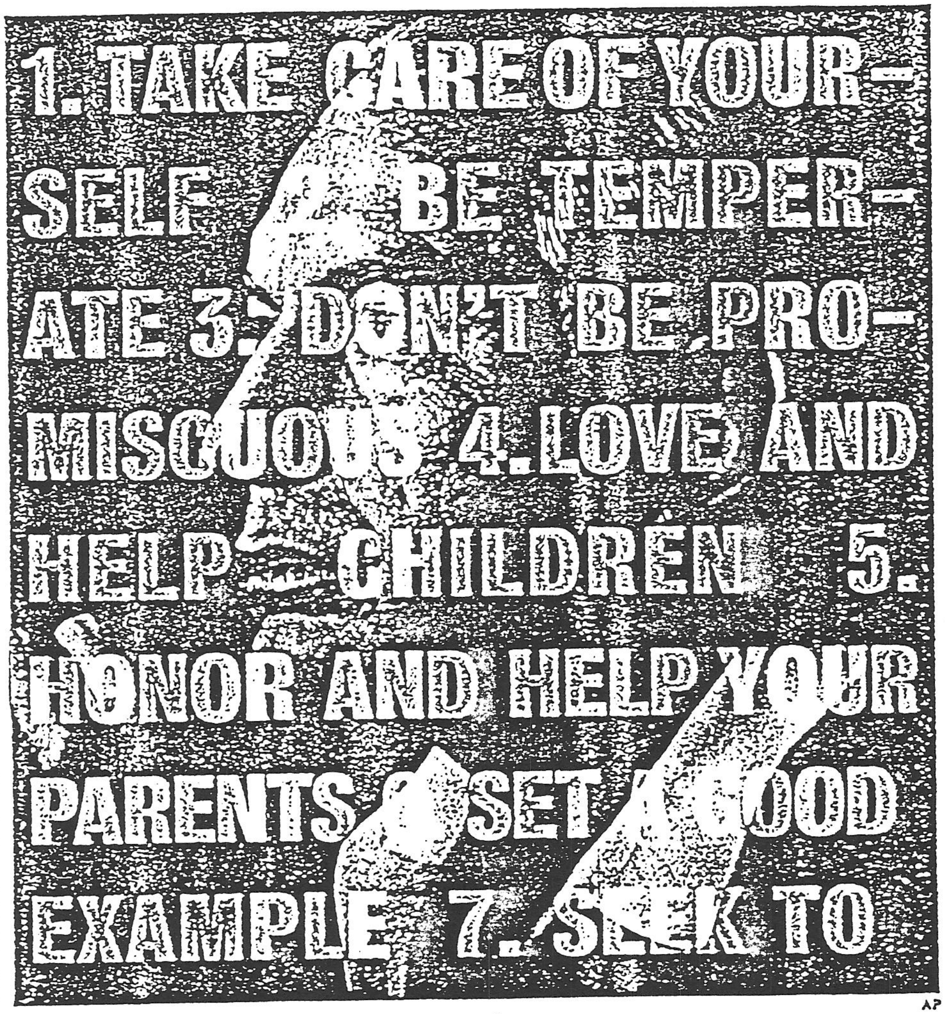
Is L. Ron Hubbard's morals text harmless?

BY KENNETH L. WOODWARD
AND CHARLES FLEMING

When Carol Burgeson received a copy of "The Way to Happiness" in the mail 13 months ago, she read it through and decided it was the perfect nonreligious vehicle for teaching moral values to her senior students at Thornton Township High School in Harvey, Ill. So Burgeson ordered more free copies of the book by L. Ron Hubbard and used them to stimulate discussions in her classes. "It seemed so harmless," she says. "Brush your teeth, do your work, don't be tardy—what's wrong with that?"

Nothing. But she was more than a little surprised to discover that the late Hubbard, who is identified in the pamphlets by name only, was the founder of the Church of Scientology, and that the pamphlets are distributed by a foundation tied closely to his controversial religion. She's not alone. With little fanfare, Hubbard's text has found its way into the nation's schools. According to the Scientologists, 8,300 public-school teachers and administrators have used the morality text since it was first published in 1981. Altogether, church officials estimate, 6.8 million pupils in 7,000 U.S. schools have studied Hubbard's moral principles; internationally, more than 34 million copies in 17 different translations have been distributed—sometimes, say Scientologists, by major corporations. "That book," says the Rev. Heber Jentzsch, president of the Church of Scientology International, "has probably had more popularity than anything Mr. Hubbard has written."

The need for books on values has long been recognized by public-school educators. Strapped for cash and under pressure from parents to deliver a values-oriented education, many teachers and administrators welcome any text that promises—as Hubbard's does—to deliver sound moral principles on a "nonreligious" basis. But when NEWSWEEK checked with public-school educators who received the text, some said that they had been misled. In Brooklyn, N.Y., Lawrence Herstik, principal of PS 238, initially welcomed "The Way to Happiness" as "a values-oriented book about righteousness and peace." But he stopped using the text after he discerned "an undercurrent of a religious nature." In Bellflower, Calif., Jeanie Cash, principal of the Frank E. Woodruff Elementary School, ordered copies of the Hubbard book but refused to put them into her classrooms when she discovered that they came from the Church of Scientology. "They sent a brochure saying it was a self-esteem program," says Cash. "I feel that I was deceived. We feel very strongly about the separation of church and state."



AP

'Way to Happiness': *Hubbard's 'secular' text*

Since "The Way to Happiness" claims that it is "not part of any church doctrine," Scientology officials insist that its use by public schools poses no problems. Hubbard wrote it in 1980, they report, the year the U.S. Supreme Court ruled that public schools in Kentucky could not display the Ten Commandments in the classroom. Like Scientology itself, says president Jentzsch, the book merely teaches "common sense." However, the volume is published by Bridge Publications, the church's own publishing house, and promoted through The Way to Happiness Foundation, one of several independent corporations designed to propagate Hubbard's thought.

All of these putatively "secular" organizations are coordinated by the Association for Better Living and Education (ABLE), which is an organ of the church. The "Way to Happiness" book is itself part of Hubbard's extensive philosophical and religious writings, which for Scientologists, says Jentzsch, "are the same as the Bible is for Christians and the Koran is for Muslims." What makes "The Way" acceptable for public-school use, Jentzsch argues, is that students who read the book do not have to follow Hubbard's moral principles, while members of the Church of Scientology must.

On the surface, there is little in the book that would trouble any educator who believes in cleanliness, honesty, integrity and tolerance. Among Hubbard's 21 moral principles is this curiously relaxed restatement of the golden rule: "Try not to do things to others that you would not like them to do to you."

But Hubbard's catechism is also studded with jarring axioms. It declares, for example, that "the way to happiness does not include murdering your friends, your family or yourself being murdered."

More important, anyone familiar with Scientology will find that the text uses key words and concepts taken directly from Scientology's religious lexicon. For instance, Scientology teaches that the fundamental point of life is "survival," and that only those who become the "cause" of their own actions can be truly happy. This is also a major theme of "The Way to Happiness." More significant, Scientology teaches that the truth is "what is true for you." This relativistic view is repeated with emphasis in the book. On the other hand, the text is silent about most of Scientology's central tenets: for example, its belief that people suffer from evil deeds done in past lives that the church's ministers can correct through expensive counseling courses, and its adamant opposition to psychiatry.

Front group? Critics of Scientology, including some former officials, argue that "The Way to Happiness" is primarily a recruiting tool for the church. According to Vicki Azmaran, who once served as inspector general of the Religious Technology Center, the church's highest ecclesiastical organization, The Way to Happiness Foundation is "a front group to get people into Scientology" and the book is designed "to make Scientology palatable to the masses." Another former church member, Gerald Armstrong, claims that Hubbard wanted "rich Scientologists to buy huge quantities of this book for distribution. He wanted to go down in history as a scientist or a philosopher or both." Both Azmaran, who runs a private detective agency in Dallas, and Armstrong, who works for an anti-Scientologist attorney in San Francisco, are currently locked in prolonged and bitter litigation with the church over a variety of claims.

Church officials strongly deny that "The Way to Happiness" is a lure to attract potential converts. Still, the church is anxious to broaden its appeal by promoting Hubbard's various "technologies" for combating drugs, reforming criminals, teaching morality and learning how to study—and doing it through its sundry satellites: Narconon, Criminon, Applied Scholastics and The Way to Happiness Foundation. The church's encyclopedic reference text, "What Is Scientology?", claims that 23 corporate giants have used Hubbard's study technology. Yet a check of three of them—Mobil Oil, General Motors and Lancôme—brought denials of any corporate involvement with the church. But if the nation's public schools are any measure, Hubbard's tracts will continue to turn up in the most surprising places. ■

EDUCATION

Martyrs for Multiculturalism

Courses that students at UCLA might die for

For 20 years, the University of California, Los Angeles, has offered courses about Chicano culture and history. But last April, on the eve of the funeral of Cesar Chavez, the farm workers' union leader, officials announced that they would not create a special department devoted to Chicano studies—instead they pledged to improve the existing program. Since then, the campus has reverted to '60s-style protests. Students—mostly Chicanos—took over a faculty center, then trashed it. City police arrested 99 demonstrators. And now, on the lawn outside the administration building, nine demonstrators have taken a page from the Chavez manual, pledging to fast until a department is created—or they die.

If you support
Gender Studies Requirements
then DEFUND
Chicano/a Studies
NOW!
THERE'S A HO
IN OUR CURRICU
ETHNIC & GENDER
NOW! - NOW! - NOW!

LESTER SLOAN—NEWSWEEK

A fight to the death: *Protesters at UCLA*

Is this a cause worth dying for? "We are risking our lives to save lives," says hunger striker Jorge Mancillas, assistant professor of biology at UCLA's medical school. More academic attention, he thinks, will eventually pay off in a more prosperous, stronger Chicano community. But UCLA does not have separate departments for any special-interest group. Asians, blacks and women have all had to content themselves with interdisciplinary majors taught by professors from traditional academic departments. That arrangement is unsatisfactory, say the demonstrators, because faculty members have little time or encouragement to concentrate on ethnic studies. Their solution: full academic status for Chicano studies. "We cannot continue to the next necessary step without departments," says Luis Torres, an English- and Chicano-studies professor at the University of Southern Colorado who also heads the National Association of Chicano Studies. (About 17 percent of UCLA's 23,000 students are Chicano; many have not joined the campus demonstrations.)

UCLA administrators insist that a field like Chicano studies—touching on history, sociology, literature, feminism and other disciplines—is best left as an interdisciplinary program. That structure encourages the flow of ideas among Chicano-studies faculty and other specialists. Creating separate departments, says UCLA Provost Herbert Morris, encourages a "Balkanization" that the university wants to avoid. "We need the ethnic perspectives to pervade all the departments," says Morris, who does agree that the Chicano program needed improvement.

Chancellor Charles E. Young offered to take several important steps to bolster the Chicano-studies program. First, all ethnic- and gender-studies programs would be exempt from funding cuts for two years—a critical gesture because the UC system is strapped for cash. Second, new faculty would be appointed jointly to Chicano studies and an existing department—history, say, or languages. Also, Young insists that this year's decision need not be the final one. He suggests that the idea of a full-fledged department can be re-examined in a few years. Seeking an end to the demonstrations last week, university officials offered even more funding and more faculty for the program. So far, the protesters have rejected his offers—as well as food. In a state where minorities now account for nearly half of the student body at some public universities—and sometimes more—the bitter conflict at UCLA will not be the last.

CONNIE LESLIE *with* ANDREW MURR *at UCLA*

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

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CHURCH OF SCIENTOLOGY INTERNATIONAL, a California not-for-profit religious corporation,

Plaintiff,

v.

No. BC-052395

GERALD ARMSTRONG, THE GERALD ARMSTRONG CORPORATION, a California corporation, DOES 1 through 25, inclusive,

Defendants.

-------------------------------------/

and related cross actions.

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DEPOSITION OF GERALD ARMSTRONG

Volume VI - Pages 625 through 752

THURSDAY, AUGUST 18, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

Q. Did you understand this person Baker or not to be a reporter from Village Voice?

A. I don't know what capacity he was acting in when he called. I just don't know.

Regarding The Village Voice, I had understood that at some time he had done a story which had appeared in The Village Voice and was somehow related to Scientology. So that's -- I don't know if what he was doing in the more recent past was for The Village Voice or something else because he -- it was like a relay of communications. I took a telephone call to the office and don't know beyond that, did not discuss any history with him or even his story.

Q. Did this person speak to you about your experiences with the Church of Scientology?

A. No.

Q. Between March of 1993 and the present did you speak with anybody working for E-TV or Entertainment Television?

A. Yes.

Q. We can discuss that later, but was there a reason that you did not include that in the list of media that you have spoken with during the time period that I've been asking you about?

A. Just didn't come to mind.

Q. Um-hum. And what about Newsweek magazine?

A. Newsweek, you know, I thought of that and I wasn't sure if it was within the dates, but I think it is, so it's --

Q. All right. Well, because of these new recollections, I've got to ask you again.

Thinking as hard as you can about this, have you omitted any person or persons or publication or media outlet, television or radio or otherwise, with whom you've had contact regarding the Church of Scientology between March of 1993 and the present other than those that you have mentioned to this moment?

A. I may have, but there isn't anything that comes to mind.

Q. Between March of 1993 and the present, have you spoken to any other individuals other than media representatives that you have already testified about regarding your experiences as a Scientologist?

A. Broadly, yes.

Q. And with whom did you have such conversations?

August 28, 1993

Charles Fleming
Newsweek
11835 West Olympic Blvd., Suite 870
Los Angeles, CA 90064

Dear Mr. Fleming:

I thought you might be interested in one of the Scientology organization's new lawsuits against me, LA Superior Court No. BC 084642, filed July 8, 1993, amended complaint (enclosed herewith) filed August 10, 1993. We call this one Armstrong III.

The fifth cause of action at page 10 is devoted to my giving an interview to Newsweek, for which the organization seeks $50,000 in damages. The seventh cause of action at page 13 again concerns the Newsweek "interview" and seeks an injunction prohibiting me from continuing my incorrigible First Amendment activities.

The lawsuit itself is the organization's attempt to get around a stay in Armstrong II, LA Superior Court No. BC 052395. In that lawsuit Judge David Horowitz stayed all proceedings because the illegality of the underlying settlement agreement is an issue on appeal (No. B 060450, Second Appellate District, Division Four).

The organization also filed Armstrong IV July 23 in Marin County Superior Court, No. 157680, against me, The Gerald Armstrong Corporation, and Michael Walton, my friend and a lawyer, claiming my giving away of my assets (house, cash, stock, forgiving debts owed me, etc.) in August, 1990 was a "fraudulent conveyance" intended to render myself judgment-proof against all the damages Scientology says it's due from my free speech responses to its silly slanders.

We presently have a hearing set for September 8 in LA Superior Court in Armstrong II on Scientology's order to show cause re contempt, one of its efforts to have me jailed for the liberties I take with that old First Amendment. And there's another hearing September 14, also in Armstrong II in LA, on another OSC re contempt stemming from my provision of a declaration in June to Lawrence Wollersheim in his defense of Scientology v. Wollersheim, Los Angeles Superior Court No. BC 074815 (which is its own great literature).

If you think Newsweek would have an interest in this saga, please feel free to call me or attorney Ford Greene any time.

Yours sincerely,

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450

Hub Law Office
Ford Greene, Esquire
711 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)258-0360
Fax 456-5318

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

---oOo---

CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
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GERALD ARMSTRONG, THE GERALD
ARMSTRONG CORPORATION, a
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DEPOSITION OF GERALD ARMSTRONG

Volume VI - Pages 625 through 752

THURSDAY, AUGUST 18, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

Q. It's your testimony that Mr. Garcia did not ask you any questions which related to your experiences in the church?

A. I believe that's the case. My recollection is that he knew who I was and knew considerable information about my history.

Q. When you review your records before coming back tomorrow, would you see if you can refresh your recollection as to what document or documents you may have sent to Mr. Garcia?

A. Sure.

Q. Between March of 1993 and the present, have you had any conversations with Richard Bagar, a reporter for Time Magazine?

A. I may have.

Q. Is there any way that you could confirm one way or the other whether you did?

A. I don't think that there's any -- that there's any way. If I had a communication -- aw, let me see, I do recall having a conversation with him. It was again after the KFAX incident.

And I had called him, I believe, because there was a hearing going on in Los Angeles, and he expressed an interest in, of all things, the KFAX matter.

Q. Did Mr. Bagar call you or you call him?

A. I believe I called him.

Q. What was the substance of your conversation with Mr. Bagar?

A. I had called him for some reason, the exact reason I don't recall right now, but it very easily could -- it could be around the time of the two new lawsuits in '93 that I -- I have a recollection of telling him about the Armstrong III and Armstrong IV lawsuits.

And that at the same time perhaps or in a related communication or around the same time we discussed the KFAX matter, and I think that I sent him copies of the correspondence.

Q. The correspondence that you sent him was correspondence involving Miss Bartilson and the station?

A. Right, and my letter, I believe, back to Ms. Bartilson.

Q. Any other correspondence?

A. I don't think so.

Q. Did you send any other documents to Mr. Bagar between March of 1993 and today?

A. I don't have a recollection of

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

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CHURCH OF SCIENTOLOGY INTERNATIONAL, a California Not-For-Profit Religious Corporation, Plaintiff, vs. GERALD ARMSTRONG, THE GERALD ARMSTRONG CORPORATION, a California Corporation, Does 1-25, inclusive, Defendants.	Case No. BC-052395

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By: Rosalie E. Stefani
CSR No. 3215

September, October of 1993?

A. Correct.

Q. Could it have been before August?

A. It -- it could have been.

Q. When did you first speak to Jennifer Cone?

A. I think that it was in the same time period, perhaps August of -- July or August, 1993.

Q. And you understood her to be a reporter for the Recorder?

A. Right.

Q. Where is the Recorder based?

A. San Francisco.

Q. And what was your -- what was the substance of your initial conversation with Miss Cone?

A. I communicated -- I think that sometime in the past I have been in touch with someone at the Recorder, whose name I don't recall. That person had given me to a -- an editor, whose name I also don't recall. The editor then put me in touch with Jennifer Cone.

Jennifer Cone and I spoke briefly, and she said, send me some documents. I then sent her some documents. I may have followed it up, but I think two things happened. They weren't interested and Jennifer Cone moved on to someplace unknown to me.

Q. Do you recall whether that initial --

A. So I had -- my communication with Jennifer Cone was brief, and it was specific. My recollection is the existing litigation, which then included -- I think that this is the time period that we're in, the Armstrong III and IV litigation, so it was during the time -- just after, I believe, III and IV got filed and that my documents to her included documents from III and IV, probably from II, and maybe back into Armstrong I, but that it was in the time period in which III and IV were new and news.

Q. Do you have copies of the letter and the accompanying documents which you have just testified about?

A. I very easily may have the letter that went with the material to Miss Cone.

MR. HERTZBERG: All right.

MR. GREENE: As to a radio FM tape, letter, Cone letters, we'll research and produce.

MR. HERTZBERG:

Q. Did you ultimately have any further discussions with anybody employed by the Recorder?

A. There was a subsequent communication in which I learned that Jennifer Cone was gone. I think that that is the only thing of substance that I can recall of

PLAINTIFF'S EXHIBIT
61 GA
10/20/94

August 23, 1993

Jennifer Cohen
The Recorder
625 Polk Street, Suite 500
San Francisco, CA 94102

Re: Scientology v. Gerald Armstrong, Michael Walton & The Gerald Armstrong Corporation,
Marin Superior Court
Case No. 157680

Dear Ms. Cohen:

As you requested, please find herewith the following documents relating to my litigation with the Scientology organization:

1. Decision of Los Angeles Superior Court Judge Paul G. Breckenridge Jr. dated June 20, 1984 in the case of Scientology v. Armstrong, No. C 420153 (we call this case Armstrong I);
2. July 29, 1991 opinion of the California Court of Appeal affirming the Breckenridge decision;
3. Amended complaint in Scientology v. Armstrong, Los Angeles Superior Court No. BC 052395 (Armstrong II; which was originally filed February 4, 1992 in Marin Superior Court, case no. 152229 and transferred March 20, 1992 to LA);
4. My declaration of March 16, 1992 filed in Armstrong II;
5. Amended answer to Armstrong II complaint, filed October 8, 1992;
6. Armstrong II cross-complaint, filed October 8, 1992;
7. Scientology's ex parte application filed December 31, 1992 for an order to show cause in Armstrong II, why I should not be held in contempt;
8. Appellant's opening brief in the appeal from the injunction issued May, 28, 1992 in Armstrong II, by LASC Judge Ronald M. Sohigian;
9. Armstrong III first amended complaint, LASC No. BC 084642, filed August 10, 1993 (complaint filed July 8, 1993);
10. Armstrong IV complaint, filed July 23, 1993;

11. My letter of August 15, 1993 to organization attorney Andrew H. Wilson.

Please also see The American Lawyer of July/August, 1992.

The Sohigian injunction is an exhibit to Scientology's application for an OSC re contempt (item 7 above), one of Scientology's attempts to have me jailed for daring to speak out against its antisocial practices. There is a hearing on that OSC on September 8 in LA, and a hearing on another OSC re contempt September 14, both in Armstrong II.

Because the illegality of the December, 1986 settlement agreement, which is an exhibit to the Armstrong II amended complaint (item 3 above), is an issue in the appeal from the Sohigian injunction, LASC Judge David Horowitz stayed all proceedings in that case. Scientology's filing of Armstrong III and IV is its effort to get around the stay.

I think there's a worthy and timely story in all this, and I hope you or someone has the time and heart to negotiate the paper maze to get to it. As you can imagine, the accompanying document stack is but a bump from the mountain filed in the four cases.

Please feel free to call me or attorney Ford Greene any time, and don't be afraid to ask for more materials.

Yours sincerely,

Gerald Armstrong
715 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)456-8450

Hub Law Offices
711 Sir Francis Drake Boulevard
San Anselmo, CA 94960
(415)258-0360
Fax 456-5318

ENTERTAINMENT TV
STARS AND SPIRITUALITY

TRANSCRIPT OF VIDEO (Portion with Gerald Armstrong)
August 5, 1993

[SHOT OF ARMSTRONG, looking at legal papers]

GREG AGNEW: Gerald Armstrong says that leaving Scientology in 1982 wasn't that easy for him.

[SHOT OF PAGES OF MEMORANDUM OF INTENDED DECISION]

GREG AGNEW: In litigation Armstrong testified that he wanted out, after working for Hubbard and discovering documents that showed the Church Founder lied about his background and achievements. As Armstrong explains in the lawsuit, when he left Scientology he found he needed to take that so-called proof as protection.

[SHOT OF ARMSTRONG, looking at booklet that says "Two Faces"]

GREG AGNEW: That got him sued by the Church, labelled an "enemy of Scientology", and allegedly made him a target of the fair game doctrine.

[CLOSE-UP SHOT OF ARMSTRONG]

GERALD ARMSTRONG: The actual fair game doctrine states that someone labelled an "enemy", may be tricked, cheated, lied to, stolen from, sued, or destroyed, by any means, by any Scientologist.

[SHOT OF HEBER JENTZSCH]

GREG AGNEW: Jentzsch says today there is no fair game doctrine.

HEBER JENTZSCH: There was a policy years ago which was misunderstood. A person who leaves the justice system of Scientology can be fair game for this society.

[SHOT OF LEGAL PAPERS]

GREG AGNEW: In 1984 a California judge came down on Armstrong's side in his suit versus Scientology. Nine years later the two sides are still at legal odds. The Church is suing Armstrong, accusing him of breaching the original settlement agreement by speaking out against Scientology.

[SHOT OF HEBER JENTZSCH]

4801

HEBER JENTZSCH: This is a person who wants to make a big name for himself off of Scientology.

[SHOT OF ARMSTRONG]

GREG AGNEW: Armstrong denies the charge. He and his attorney contend the contract is illegal and the lawsuit, improper.

[SHOT OF MANUSCRIPT entitled: **ONE HELL OF A STORY An Original Treatment Written for Motion Picture Purposes Created and Written by Gerald Armstrong**]

GREG AGNEW: He eventually hopes to tell his story on the big screen.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

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CHURCH OF SCIENTOLOGY INTERNATIONAL, a California Not-For-Profit Religious Corporation, Plaintiff, vs. GERALD ARMSTRONG, THE GERALD ARMSTRONG CORPORATION, a California Corporation, Does 1-25, inclusive, Defendants.	Case No. BC-052395

Reporter's Transcript of Oral Deposition

GERALD ARMSTRONG

Friday, August 19, 1994

VOLUME VII

Pages 793 through 945

Reported By: Rosalie E. Stefani
CSR No. 3215

Q. Did you tell Miss Nix that you had reached any conclusions about Mr. Hubbard as a consequence of your research for the biography?

A. No.

Q. Did you discuss anything else with Miss Nix about your involvement or activities as a scientologist during your conversation with her yesterday other than what you have testified to already?

A. No.

Q. When was your contact with radio Word-FM, Pittsburgh?

A. I believe it was in the late summer or early fall of 1993.

Q. And do you remember the circumstances of your speaking or meeting with anybody from the radio station?

A. Somebody called me from the station, and then I ended up doing a -- I believe a half hour on their radio in Pittsburgh. I think the show is called "Pittsburgh Talks."

Q. Do you have a tape of that program?

A. You know, I may have at one point, and it is -- I would be happy to make an effort to try and locate it.

Q. I would appreciate it.

A. Okay.

Q. Do you recall what the subject was of your appearance on this radio program?

A. I think it really had to do with religion.

Q. Did you mention the Church of Scientology?

A. Well, I don't think by that name, but the concept of Scientology certainly came up.

Q. Did you refer to Scientology?

A. I believe there was -- it concerned Scientology.

Q. And it concerned your experiences as a scientologist?

A. It very likely touched on it.

Q. As best you recall, what did you say about your experiences as a scientologist on the radio program Word-FM Pittsburgh?

A. I -- I presently have no distinguishable recollection of any specific point which was covered.

Q. Did you receive any kind of monetary compensation or expense money for appearing on the radio program?

A. No.

Q. Did you go to Pittsburgh for the purposes of this radio program?

A. No.

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

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CHURCH OF SCIENTOLOGY
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not-for-profit religious
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GERALD ARMSTRONG, THE GERALD
ARMSTRONG CORPORATION, a
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DEPOSITION OF GERALD ARMSTRONG

Volume VI - Pages 625 through 752

THURSDAY, AUGUST 18, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

Q. That's all that he communicated to you, that Mr. Ingram had been by to talk to him, he didn't say anything more about Mr. Ingram?

A. I think that's basically it.

Q. Did you say anything about Mr. Ingram?

A. I don't know if it went beyond that.

Q. You resisted the temptation to identify him as a nefarious church operative?

MR. GREENE: Objection, assumes facts.

THE WITNESS: I don't know.

MR. HERTZBERG: Off the record.

(Luncheon recess.)

MR. HERTZBERG: Let's go back on the record.

Q. Mr. Armstrong, between March of 1993 and the present, have you spoken with any reporters from the St. Petersberg Times?

A. Yes.

Q. And with whom from the St. Petersberg Times?

A. My recollection is it's somebody by the name of Garcia. And I don't at this instant recall his first name.

Q. Would that be Wayne Garcia?

A. Wayne Garcia, yes, it is.

Q. And when did you first speak with Mr. Garcia?

A. I think my first contact with him was perhaps around the time of the IRS ruling, so I think that's in the fall of '93.

Q. And did you call Mr. Garcia or did he call you?

A. I believe he called me.

Q. Do you remember the gist of your conversation with him?

A. He knew who I was, and I believe that he -- my recollection is he was looking for a comment or wondering if I had any insight into the ruling of the IRS. And I don't believe that our conversation was very substantive as to my history or even what he was doing, mainly because I had not a great deal, if any, information about the IRS matter.

Q. When you say ruling of the IRS, do you mean any determination by the Internal Revenue Service that certain Church of Scientology entities were entitled to exception under 5013 of the Internal Revenue Code?

A. Yes, I think that's how I would say it.

Q. What else do you remember about that conversation?

A. I have a recollection of him saying that somebody was checking the records in Washington, D.C., and I don't even know in what case or in what records were being checked.

And I have a recollection of something to do with the Ponilis (phonetic) County or some local Florida government, and how that might be impacted by the IRS decision, but I don't know exactly what the context was or even what the issues were.

Q. Do you recall any other aspect of this conversation that you had with Mr. Garcia?

A. I believe he asked for a comment. And my vague recollection of my comment at the time, and the matter was still relatively new and surprising to me, but I recall communicating something about that now really the matter can be resolved in the marketplace of ideas, and that Scientology didn't have their fall back position of we're being victimized by the IRS or the United States government, and that it put them in a position where they really could be dealt with in the marketplace of ideas, and that that was actually where it should be anyway, that the tax ruling was in the marketplace of ideas irrelevant.

Q. That's a comment that you made to Mr. Garcia?

A. Something about that. I just have a recollection. And that that is what had come to mind at the time, and I had communicated something about when he asked for a comment.

Q. You indicated that you were surprised by the IRS ruling, your word surprised.

A. Yeah, I think I was surprised.

Q. And in what respect were you surprised?

A. I think because of the history of the organization and the history of what I knew to be tax court or related decisions regarding the organization and the ones that I had seen and the ones that I recalled and what I knew of the history of the organization, one would not, I would think, come up with the conclusion that after all of this has happened and after these rulings, that there's going to be a decision by the tax court that was, or by the IRS, which was

THE GERALD ARMSTRONG CORPORATION
715 Sir Francis Drake Boulevard
San Anselmo, California 94960

Gerald Armstrong
President

FAX COMMUNICATION COVER SHEET

DATE: October 11, 1993

TO: Letters Editor, Premiere

TELEPHONE:

FAX TELEPHONE: (310) 820-3192

FROM: Gerald Armstrong

TELEPHONE: (415)258-0360

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PAGES INCLUDING COVER SHEET: 5

ACCOMPANYING DOCUMENT: Letter response to Miscavige response to Richardson Scientology article

INSTRUCTIONS:

Have courage!

PLAINTIFF'S EXHIBIT
29
8-19-94

October 11, 1993

Letters Editor
PREMIERE
1990 South Bundy Drive, Suite 250
Los Angeles, CA 90025

By Fax: 310-820-3192

Dear Editor:

Word on the street is that the Scientology organization cut a deal with Premiere following John Richardson's September article: print our fearless leader's response and we won't sue you or anyone who contributed to the article. Rod Lurie of Los Angeles magazine, which did its own story this month on Scientologist Tom Cruise, tells me a Scientology lawyer tells him that the deal covers only Premiere; the contributors are hung out as fair game.

Those of us on the street who reject Scientology's bullying would rather have heard that the organization had been told to stick it in its corporate ear, but we do understand why Premiere would agree to such a deal. It judiciously eliminates the threat of litigation from this nation's most threateningly litigious entity, and it gets to print David Miscavige's response. He not only proves Richardson's point about the organization's pervasive meanspiritedness, but evinces Scientology's silliness. Miscavige uses many too many words, and even too many numbers, for a simple two-page response.

But I shouldn't criticize Mr. Miscavige's style when his response was actually quite helpful to my cause. He admits to knowing that Richardson "had unparalleled access to top [Scientology] officials, conducting four days of interviews." Richardson tells me that the top officials the organization allowed him to interview are Mark Rathbun, Mike Rinder and Heber Jentzsch, and he tells me that these three, unsolicited, provided him with documents concerning me, which he has now provided to me.

Although I was introduced to John Richardson before his article appeared, he did not interview me, and I contributed not one of its, according to Mr. Miscavige, 8700 words. Nevertheless, just in case Richardson did consider interviewing me, Rathbun, Rinder and Jentzsch, in true Hubbardian spirit, gave him a couple of juicy, what the organization calls "dead agent documents," to destroy my reputation beforehand.

Richardson states in his article that "they even provided documentation of Scientology detectives secretly videotaping a sting operation against a hostile former church member. 'I have no problem with that,' says [Mark] Rathbun, president of the church's Religious Technology Center." Judge Donald Londer in the Multnomah Superior Court in Portland, Oregon, where the organization first "broke" the videotape operation in 1985, had no problem with it either, but for a different reason. Londer, who viewed the videotapes in their entirety, not just Scientology's edited bits, stated that they were illegally obtained, but allowed them into evidence because be found them "very, very damaging against Scientology." The jury in that case, polled after the trial, stated that the videotapes confirmed that, contrary to Scientology's claim that by renaming its infamous Guardian's Office in 1982 it had ended its dirty tricks against perceived enemies, its tricks were alive and kicking and just as dirty in 1985.

LAPD Chief Daryl Gates, on the other hand, had a huge problem with the videotape operation. Scientology's pet private investigator, Eugene M. Ingram, who, according to published reports, had been busted from the force for pimping and taking payoffs from drug dealers, paid an active LAPD officer Philip Rodriguez to sign a phony authorization for the videotaping and wire taps. Rodriguez was suspended six months for his part in the operation, and Gates declared in a public statement:

> "The (Rodriguez) letter purports to authorize Ingram to engage in electronic eavesdropping. The letter, along with all purported authorization, is invalid and is NOT a correspondence from the Los Angeles Police Department. The Los Angeles Police Department has not cooperated with Eugene Ingram. It will be a cold day in hell when we do."

In characteristic purported ignorance, Scientology's top officials continue to this day to call this illegal operation "police-sanctioned," and continue to use it to attack me, even though its use still only demonstrates that "fair game," the organization's doctrine of opportunistic hatred, with its gargantuan bag of tricks and dirt, is still flailing about in 1993.

The other document Miscavige's minions provided Richardson was a two-page recitation of a dream I had in 1985. I gave a copy of it to a friend and fellow writer, Dan Sherman, whom the organization was using to get close to me to set me up, and who participated in the videotape operation. The organization used the dream in 1986 as an exhibit to a document filed under seal in the original case in which it sued me, labelling the dream "a sickening personal creative work" which demonstrated my "extremely aberrated activities."

The dream was a dream, the recitation was true, and the language is starkly crude because that is what its literature called for. But Rathbun, Rinder and Jentzsch did not provide the dream to Richardson for its literary value, but its value in destroying my character; for to the organization, if it suits its purposes, dreams are reality, and truth is whatever can be twisted therefrom. As to the organization's use of the dream in violation of a court order specifically sealing it, that is not even close to surprising. Scientology's leaders, pursuant to Hubbard's orders, abuse the legal process every day of every year and hold our courts in constant contempt.

This organization has sued me four times, six times attempted to have me jailed on evidence it fabricated, and employed a pack of private investigators who harassed and assaulted me, threatened to put a bullet between my eyes, took a number of shots at framing me, filed perjured affidavits about me, ran into me with a car, and tried to involve me in a freeway "accident." All for daring to speak honestly and openly about my own experiences in my own life. The organization this year has tried to have me jailed and has sued me, claiming $950,000 in damages, for nothing more than writing a letter to David Miscavige urging a peaceful resolution to Scientology's conflicts.

Miscavige says that it "is only the great ideas that generate controversy; it is only great thinkers who are the subject of sustained attacks." I have been attacked by his organization for almost twelve years. I don't think that's great, and I don't think my ideas merit all the attack. My message is simply this: honestly and openly repudiate fair game, or get out of the religion business.

I am a man who says that Scientology, as it is practiced and directed by its leaders, is not a religion, and it should not use the extraordinary protection our Constitution confers on religions to mask its antisocial nature and acts. I am one of those critics John Richardson says the organization has targeted with its ugly smear attempts. Premiere has given David Miscavige two pages to promote his organization's religiosity and has thus escaped its litigiosity. How about a half page or so for me, and I won't sue either.

Gerald Armstrong
San Anselmo, CA

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Editor - I am a writer, philosopher and artist. I presently work with San Anselmo attorney Ford Greene, who also represents me in my litigation with the Scientology organization. I can provide documentation of any of my claims in this letter if you ask.

May 19, 1994

Charles Collier-Wright, Esquire
Mirror Group Newspapers
One Canada Square
Canary Wharf
London E14 5AP
United Kingdom

By Telecopier 011 44 71 293 3405

Dear Mr. Coll [redacted]

I am wri e to a letter dated May 9, 1994 sent to you by Mik Scientology organization's Office of Special Affai erald Armstrong Mr. Rinder accurately names, but er bes, at page 2 of his letter.

Please be f your company is sued by Scientology, a me as a witness, which Mr. Rinder warns you agai client will not become a party to any violation re . Nor would I, should I appear as a witness in any [redacted] brought by Scientology against your client or violation of any legal agreement. By a 1992 Angeles County Superior Court, ted to assist any entity the organiza l specifically by said injunction to "t response to properly put questions e l, or in other legal or arbitratio

The "agreement," with atening you and your client, was obtain ganization from my former attorney Mich e organization's attacks on Mr. s judicially condemned philosophy and practice of re well known in the international media and legal arenas.

The organization has used the "agreement" to obstruct justice in dozens of litigations and to frighten its critics, opposing lawyers and its victims into silence. Yet I believe it will ultimately be instrumental in bringing the organization's leaders to justice.

Mr. Rinder's charge that I posed naked in a newspaper is unrelated to the reliability of my information. As well as untrue. I have survived four Scientology lawsuits and more than 55 days of testimony in depositions in a dozen cases and in three trials, and weathered over twelve years of Fair Game and Black PR for the very reason that my information is reliable.

Although my reliability could be viewed as demonstrated by Scientology's attack thereupon, I also suggest that, if you have questions regarding my history or credibility, you contact any or all of the following people:

Jon Atack
Avalon
Cranston Road
East Grinstead
West Sussex RH19 3HG
342-314-758

Ford Greene, Esquire
711 Sir Francis Drake Boulevard
San Anselmo, CA 94960
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Graham E. Berry Esquire
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(213)680-5007
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Joseph A. Yanny, Esquire
1925 Century Park East, Suite 1260
Los Angeles, CA 90067
(310)551-2966
Fax (310)551-1949

Toby L. Plevin, Esquire
10700 Santa Monica Boulevard
  Suite 4-300
Westwood, CA 90025
(310)788-8660
Fax (310)788-8661

F.A.C.T.Net, Inc.
(Fight Against Coercive Tactics, Inc.)
601 16th Street, Suite C-217
Golden, CO 80401
(303)650-3650
Fax (303)530-2950

Michael J. Flynn, Esquire
6125 El Tordo
Rancho Santa Fe, CA 92067
(619)756-5823
Fax (619)756-1575

Finally, if you have any questions of me, please feel free to call at any time. Same for your client's people.

Yours sincerely

Gerald Armstrong
715 Sir Francis Drake Boulevard
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cc: Jon Atack
Ford Greene, Esquire
Graham E. Berry Esquire
Joseph A. Yanny, Esquire
Toby L. Plevin, Esquire
F.A.C.T.Net, Inc.
Michael J. Flynn, Esquire
Andre Taboyoyan
Robert Vaughn Young and Stacy Young
Garry L. Scarff
Hana Whitfield and Jerry Whitfield
Richard Aznaran and Vicki Aznaran
Lawrence Wollersheim
Scott Mayer
Mike Rinder

SUPERIOR COURT FOR THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

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CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California
not-for-profit religious
corporation,
Plaintiff,
v.
GERALD ARMSTRONG, THE GERALD
ARMSTRONG CORPORATION, a
California corporation, DOES 1
through 25, inclusive,
Defendants.
--------------------------------------/
and related cross actions.
--------------------------------------/

No. BC-052395

DEPOSITION OF GERALD ARMSTRONG

Volume VI - Pages 625 through 752

THURSDAY, AUGUST 18, 1994

REPORTED BY: SUSAN M. LYON, CSR #5829

which he later mentioned upon receipt of my documents was a passing thought, wasn't what he was going to cover.

Q. Leaving aside your editorial comments about the Breckenridge decision and the meaning that it has in your life and your recollection of what his main interest was, I'm asking you a specific question about a conversation which you have testified occurred within the last several weeks.

Did the topic of your involvement with the church come up at all in either of your or any of your conversations with Mr. Cusick, yes or no?

A. I would say yes.

Q. And what is your best recollection of what was discussed in that vein?

A. That I had been interviewed by Mike Wallace for the 60 Minutes show; that I didn't know where copies of it might be; that there had been, I understood, although I don't think I'd ever seen any of the documents relating to this, that there had been litigation involving CBS and Scientology.

That, oh, yeah, he asked about there

being any conspiracy with Michea. Flynn. I think he'd spoken to Moraynus, Allen Moraynus, the producer of the second 60 Minute show. Now, that's where the subject of Breckenridge did come up. Because I remember that in my case Scientology had, I believe -- although I may not have said this to him -- my recollection is now that they attempted to accuse Judge Breckenridge as a result of his communications with Allen Moraynus at the time, and those communications were minimal, or were answering some kind of general question without getting into the guts of the Armstrong I litigation, but that.

And I had a recollection of Scientology making allegations of some conspiracy between, I think, Flynn and Moraynus or something like that. And that he had this information. And I think at most acknowledging that I had heard the same thing or knew of the same thing.

Q. Do you recall any other aspect of this discussion regarding Judge Breckenridge?

A. No.

Q. What was your knowledge of the contact between 60 Minutes and Judge Breckenridge?

A. Well, I saw a document about it at

PLAINTIFF'S
EXHIBIT GA
65
10/20/94

June 29, 1994

Rick Cusick
20 Ridgehurst Road
West Orange, NJ 07052

Dear Mr. Cusick:

Pursuant to our conversation of yesterday, please find herewith copies of the following materials:

1. Fax letter dated 4/28/94 to me from Scientologist attorney Laurie Bartilson of in-house law firm Bowles & Moxon;

2. Fax letter dated 5/3/93 from me to Ms. Bartilson in response;

3. First amended complaint filed 8/10/93 in Scientology v. Armstrong, Los Angeles Superior Court No. BC 084642;

4. Fax letter dated 8/25/93 from me to Craig Roberts, host of talk show "Lifeline" at radio station KFAX.

I had agreed in March, 1993 to appear on "Lifeline," a call-in talk show on KFAX, a Bay Area "Christian" station. When I arrived at the studio on April 28, just minutes before the scheduled show, Craig Roberts handed me the fax of Ms. Bartilson's letter of that date, which he said the station had just received. He said that because of the threat contained in the letter, and the impossibility of clearing my appearance in time with the station's lawyers, he would not have me on the show. He said that this was the first time such a thing had ever happened in his career and the first time he had ever canceled an appearance because of a threat.

Some weeks later I did a talk show on another religious station in Pittsburgh, PA, which turned out to be a sister station of KFAX. Someone at KFAX heard that I had done the Pittsburgh show and "Lifeline" producer Bob Carlson called me to apologize for being intimidated by Scientology and to reschedule my appearance on the show.

Shortly after that the Scientology organization filed another lawsuit against me, which has become known as Armstrong III, and which included a cause of action relating to my earlier intended appearance on "Lifeline" and my letter response to Ms. Bartilson. I advised Mr. Carlson of this fact and then faxed Mr. Roberts the relevant pages from the Armstrong III amended complaint.

I later spoke to Mr. Carlson, who said that the station's lawyers had decided that because of the threat of litigation from Scientology I should not be on the show.

Now may I ask a favor from you? Will you please send me any back issue of Gauntlet.

Please call if you have any questions.

Yours sincerely,

G.

Gerald Armstrong
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(415)456-8450

bcc Ford Greene, Esq.